

Zoom Teleconference Meeting of the Town Board, Town of Yorktown held on Tuesday, April 28, 2020 held in Yorktown Heights, New York 10598.

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

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

TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Patel, the Town Board moved into Executive Session to discuss legal negotiations. Upon motion made by Councilman Lachterman, seconded by Councilman Patel, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Supervisor Slater led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Slater asked all to join him in a moment of silence to remember our neighbors, our first responders, our front liners, and especially Supreme Court Justice Steven Milligram who lost his battle with COVID-19 earlier today. Supervisor Slater said we pray for him and his family during this difficult time.

Supervisor Slater said they are going to begin tonight with a resolution that is not on the agenda. The Board needed to consult legal counsel on the matter. He began by proposing a resolution instructing the Comptroller to pay the remaining legal fees to the Oxman Law Group in the amount of \$14,642.70.

AUTHORIZATION TO PAY REMAINING LEGAL FEES TO THE OXMAN LAW GROUP RESOLUTION #135

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

RESOLVED, that the comptroller is authorized to pay the outstanding amounts due to the Oxman Law Group for municipal services in an amount of \$14,642.70.

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

OUTDOOR DINING PERMITS

Supervisor Slater introduced those present for this discussion: Town Planner John Tegeder, Parks & Recreation Superintendent Jim Martorano, President of the Yorktown Chamber of Commerce Sergio Esposito, Bob Giordano from the YSBA, Building Inspector John Landi, and Carmine and Deneen Furci, Furci's Restaurant.

Supervisor Slater said that they had started a task force called the Reboot Yorktown Task Force to come up with some innovative and forward thinking ways to make sure the Town is setting the table so that when New York on Pause is lifted, we are doing all we can to support our local businesses. One of the things that came out of one of the first meetings was outdoor dining. Supervisor Slater said he believed Rich Fon, Planning Board Chair, had proposed and they thought it was a great idea. He asked John Tegeder and Adam Rodriguez to give a briefing on this.

Mr. Tegeder said that in the Reboot Committee meeting the idea came up that in order to help and get things moving again, when we are able, to get the ability to streamline the permitting for outdoor dining for restaurants. Currently, the Building Inspector does 12 seats and under and the Planning Board does 13 seats and over; both include plans and some varying levels of review and so forth.

The idea was how can we get it so that when the restaurants are ready to “rock and roll” that they can get up and running and possibly get some outdoor dining – sometimes more than they already have or sometimes, if they haven’t had any, to get it in place right away to make people feel more comfortable to come out and dine but also to help them (restaurant owners), since the belief is that the opening will be kind of a “soft” opening and they will only be allowed maybe 50% of their interior occupancy that is currently allowed under their permits now.

Supervisor Slater asked Carmine and Deneen Furci to provide insight into this since they are on the front lines of an issue like this and he asked how this would help their restaurant and others in the Town of Yorktown. Ms. Furci said they now have 50% of their customers since it is the law [sic] and having outside seating is going to help them employ more of their staff and help get their sales up; obviously they will not be what they would have been. This would allow them to space people out and have more room to do that, plus it will make people feel a lot more comfortable sitting outside than inside where it can seem a little close if they are measuring out 6 feet between tables. She said that people are going to be leery and, in her opinion, people like sitting outdoors normally but now it will be the biggest request. Ms. Furci said it provides a sense of security for people and the more seats you can get outside for people in any restaurant, the better.

Councilwoman Roker agreed with Ms. Furci. She said she was not sure many restaurants could survive with seating 50% of its capacity. Mr. and Mrs. Furci agreed.

John Landi, Building Inspector, asked Supervisor Slater if he was correct in that this will also include if they (restaurants) want to put up a tent to protect the area so they can put sidewalls up, put in a little heating in there if they need to – this will include all of that. Supervisor Slater said yes – this was something they talked about and had the Town Attorney look into and that is included in the draft.

Sergio Esposito, Chamber of Commerce President, said one of the key components to this is an expedited process where a restaurant can actually get through the process in a fairly quick manner so they can increase the capacity of their seating. He said this is really critical and has to be one of the components (of the amendment). He said he thought the Town Board addressed that issue. Mr. Esposito asked a Town Board Member to address this.

Supervisor Slater said a lot of work was done on this with the Task Force and this is going to be a streamlined process and is something that is going to be much quicker. He said, with all due respect to the Planning Board, this is roughly about a six-week process to get outdoor seating approved through the Planning Board, if not an eight-week process. He asked John Tegeger to confirm.

Mr. Tegeger said, realizing that the Planning Board meets every two weeks and an applicant has to get on an agenda, and it will take a couple of meetings, typically. It is not usually a one-meeting thing so he agreed it would take six to eight weeks. Mr. Tegeger said this is for inside (seating); outside can take a little longer.

Supervisor Slater said that will get dramatically reduced because they are going to streamline the process through the Building Department and Building Inspector. He said, on top of that, we are actually going to be suspending fees associated with the permitting, as well, because at this point in time we want to do all we can to support our small business and Main Street businesses, restaurants and eateries. This is about setting the table for the Town of Yorktown and supporting the business community by giving them a hand up. Supervisor Slater explained that this is a temporary situation that is going to expire at the end of the year. Supervisor Slater asked Town Attorney Adam Rodriguez to confirm.

Mr. Rodrigues said all permits, both for the operation of any temporary structure that the Building Department allows to be erected in conjunction with this operation, would expire at the end of 2020, as would the Building Inspector’s authority to issue the permits. Supervisor Slater said it would then be back to the normal process unless the Board feels that a continuation of this policy needs to continue. Supervisor Slater said this is a bold step, something that again Yorktown has led from the front from day one during this pandemic and now as we look towards the future and releasing the NY on Pause orders, we will once again be leading from the front to provide immediate assistance but also bold initiatives to get our economy working again, which he believes is what is everyone’s focus in the coming weeks.

Councilman Patel asked if a small pizzeria wants to put out an umbrella and four to six chairs, would they need to go through this permitting and the Building Department. Supervisor Slater said that right now the law requires them to go to the Building Department for up to twelve seats, so they would have to go to the Building Department anyway. Supervisor Slater said he and Building Inspector John Landi were over in Shrub Oak at BOB-B-QS and Romano's Pizza and were talking this (amendment) up, explaining what they were doing and met with the owners who were very excited. They thought it was a great idea, as obviously did the Task Force and the Furci's who have been the champions of this, as well. Supervisor Slater thinks this will be well received. He said, again, it is what we can do on a local level – we don't control a lot of things, but it is making sure the things we can control we're putting on the table and giving a hand up to our local businesses.

Councilwoman Roker asked John Landi if his department can handle this and Mr. Landi said absolutely. Mr. Landi said he will personally go out and take a look at the sites. Councilwoman Roker said she is thrilled with this (amendment).

Mr. Esposito said he wanted to make sure that we reiterate the point that this is not a "one size fits all." Some restaurants may not be set up in such a way that this might work for them but this is trying to facilitate something for the most amount of people possible; the most amount of restaurants possible. Mr. Esposito said he had two questions: one for Mr. Tegeder and one to address the possibility that the Task Force spoke about to expand this not only for restaurants but for any business that can set up shop in front of their store. He said Part of the idea with the restaurants is to try to increase their seating capacity in a way that is safe and that doesn't violate any laws coming from the state, so that's why the outdoor seating would be an add-on if they were reduced to 50% capacity or 25% capacity. He said the other side is if we could include just any business; again, it's not a "one size fits all." It may not apply to some businesses, which is unfortunate. Mr. Esposito said that maybe we could brainstorm with the Task Force to get something to fit their needs. By including all other businesses in the Heights area and the five hamlets, we could then further facilitate the reception and need for safety and people that may not be apt to come out and go into a store even after the bans are lifted, may be more apt to come in if they know they could do their shopping from outside if a business could set up a table or something like that, or some structure. The same rules would apply – it would have to be within their boundaries.

Councilwoman Roker said she wasn't sure how this would work. Councilman Lachterman said it would be like a summer-long sidewalk sale. Supervisor Slater said they are still vetting it and thought it was a good idea from the Task Force but they need more clarity on regarding the mechanics of how it would actually work; he said Sergio talked about it as well as Bob Giordano from the YSBA spoke about it for some of our service-oriented businesses. He said it is very interesting and that if we are going to continue to be creative, it is something we have to look at the mechanics behind it. Supervisor Slater said, for right now, let's get this item for the restaurants off the plate.

Councilwoman Roker said there are restaurants in shopping centers that will need space and if you have the whole shopping center out there, she said she is not sure everyone will have the appropriate amount of space.

Councilman Diana said he agreed with Councilwoman Roker. He said the one thing he thinks about is the public safety end of it, where if you have to get a fire truck or something of that nature in there, that sidewalks are going to be cluttered. He said we (the Town Board) are really going to have to vet that. He said for right now, if we can get the restaurants a little outside seating in a safe way, it would be a wonderful thing.

Mr. Landi said he and the Supervisor have been talking about this and, although they are coming through the Building Department to get it done quickly, he will be going out to the site, looking at the site, explaining to the owner what they may need to protect whoever is in the tent seating (i.e., barriers, etc.) and also to look at the placement of the tent or seating may be so, as Councilman Diana said, fire trucks, ambulances or any type of emergency services can get into the area safely. So that is what he would be looking at and discussing with the business owner/restaurant owner to make sure that could be done.

Mr. Esposito said this is why he disagrees with Councilwoman Roker and Councilman Diana because that is why Mr. Landi is there and it is going through the Building Department – obviously Mr. Landi is not going to rubberstamp things. He said Mr. Landi is going to look at the safety aspect

and if it is possible – that is why the Building Inspector is involved in this whole thing. Mr. Esposito said he is just trying to get as many businesses to have as many options as they possibly can because they have all been devastated.

Mr. Landi said we are here to say how can we make it work, where can we make it work?

Councilwoman Roker addressed Mr. Esposito: There may not be a need for a whole new set of rules for just regular businesses like dry cleaners, etc. Are they not permitted to put a chair and table outside? She said she thinks we are talking about something more than a table; for a restaurant we are talking multiple tables and multiple chairs. She said for a regular business, like her dry cleaners, they could just have a little table outside where you could put your ticket and they go inside and get it (dry cleaning).

Supervisor Slater said he would like to rein in the discussion. He said this is definitely something they are going to explore (he addressed Adam Rodriguez to say they would have a deeper conversation about what other businesses we can support in the same way). Supervisor Slater said they are doing everything they can to support the small business community and our Main Street businesses. The outdoor dining permits seem to be a ground ball that everyone seems to agree on and what the next step is from there – whether it's for more retail outdoors or service-oriented businesses – those are things we are going to continue to discuss and explore. Supervisor Slater said that right now the outdoor dining permits seem to have a collective consensus.

Councilman Lachterman said he wanted to add one caveat to this but he said he knows in a couple of places that he's worked, they had tables jammed on the patio so tightly that we have to make sure that we not only apply the new rules to the people coming to us, but take a look back at someone who has already been permitted for a patio and make sure they are social distancing.

Supervisor Slater said that is the key. He said what we have to remember is that what we decide here all has to fall in line with what the Governor is going to put forward as part of the lifting of New York on Pause. Supervisor Slater said that what we are trying to do is make sure every tool in the tool belt, the toolshed, or the garage – anything we can possibly use – is on the table. He said, obviously, no matter what that is has to adhere to whatever social distancing guidelines that we are going to have to continue to meet and he is sure that the Governor, the Department of Health and the SLA (State Liquor Authority). Supervisor Slater said he was curious with the SLA that if we allow outdoor dining, what that would do to a liquor license. He said he knows that our Town Clerk has been involved in this as well (she is with us as well) but the applicant would have to go to the SLA and get an amendment to their application to be able to serve more, or further outside, than what their SLA license allows them to do. Supervisor Slater said there are going to be other things – this is not a perfect solution – but from the Town's perspective, we are doing what we can to support our local restaurants and to help get them on their feet and back in the game. He said he thinks from listening to folks like the Furcis, folks from YSBA and the Chamber that this is something that will definitely help some of those local restaurants get back to business in a safe way and restore confidence back in our local economy. Again, it's one small thing, and he totally understands that, and we have to be pragmatic about it but it is one step forward.

Councilwoman Roker said why don't you make the proposals?

Mr. Esposito interjected by saying that what is going to end up happening is that if you are going to have to go to the SLA, depending on where the outdoor seating is going to be for any one particular restaurant, you may or may not need authorization or a letter from the Town Supervisor because it may be on Town property at which point you would get a certificate of insurance naming the Town as an additional insured to insulate the Town. He said what would happen to them in the Chamber is that any time they wanted to do something with the SLA and alcohol, they would have to come before the Town Board and request authorization at a work session and it would then have to be voted on at a regular meeting, then it would authorize the Supervisor to write a letter that would allow or facilitate the SLA to issue the permit. He said you do not have this issue if you are on private property; you have to get the letter from the landlord. He said if we could make that part of this proposal, so this way we don't get into this thing where everybody has to come in front of the Board just to get a letter from the Town so this way they could actually apply for the SLA permit.

Councilwoman Roker said Matt (Slater) already anticipated that with getting a copy of the order that he is going to sign. Supervisor Slater said Mr. Esposito made a great point and said to let's take the

conversation to the next level. Supervisor Slater said he thinks it has to be two-fold by saying the following: We have a legislative solution but understanding that legislative solutions take time because there is a legislative process we're going to have to follow to amend the code. We need to follow that process but that timeline doesn't match the timeline that we could be looking at for our small businesses to reopen. So, therefore, in addition to the legislative solution, very similar to what we've done with our littering law (how we enhanced the littering law through an emergency order and we are also putting it through the legislative process), Supervisor Slater thinks we should do the same here and we would issue an emergency order and since we still are under a State of Emergency it will hopefully match the timeline so that we can begin to see some relief from the New York on Pause order and it will give us that mechanism and also put it through the legislative process so we can legislatively amend the code, as well.

Councilman Diana asked Mr. Esposito if he agreed or disagreed with Councilwoman Roker and himself; he said he didn't catch that. Mr. Esposito said with regard to the additional businesses and not just restaurants, he would prefer we add additional businesses while we are here but he understands that it is spur of the moment and the Board has to discuss it. He said that is the only place he disagreed with.

Bob Giordano (Yorktown Small Business Association) said we need a broad and inclusive program and what sparked this was just talking about the restaurants but they used some examples, Wishes was one of them, where it would help their business to be able to put some of their products and merchandise out in front of the store; or Genesis Jewelers, for that matter. Or Pure Physique – maybe he's not going to get his members back, maybe they're going to be fearful to go inside the gym and maybe he could take two spaces in the rear of his facility and put some outdoor gym equipment. These are the things that are going to remove some of the fear that people, as Matt (Slater) said earlier, half of the people in Town are dying to get out and about and there's another half he believes will be reluctant to go out. What we're trying to do here is provide them with a comfortable, safe setting, and he thinks many, many small merchants and retailers in Town would love to not have to go through an onerous process and take months to be able to demonstrate or provide some of their services or merchandise; at least for people to browse and look at out of the front of their shops.

Supervisor Slater said he thinks it becomes a legal question. Councilwoman Roker asked John Landi a question: aren't some people allowed to put a table outside of their business? She said she has seen this in the past. Mr. Landi said yes, they are allowed.

Mr. Furci said back to the SLA rules and laws: He thinks you can waive the fee for the Town getting a permit to have seating outside and have it inspected by the Building Department and he thinks these are all great things. He said there are rules by the SLA and unless they change – he said they waived the rule so they could serve liquor to go, which was great and they did that pretty quickly – so maybe there is something they are working on as well or listen to our idea and think it's a great idea and waive that because you have to put fencing up, you have to have at least a four-foot fence around any perimeter that has liquor being served. So there are certain rules you have to follow; you just can't ignore SLA laws. The restaurant would have to have something in place where they're going to fence it in and have somewhat of a drawing. When they submit their outdoor seating, they have to have a drawing that shows how many seats and tables they are going to have out there.

Supervisor Slater said that is still going to be required for the Town for right now. As for the SLA, he said he spoke with some former colleagues of his who are pretty high up in the SLA ranks, so to say, and they haven't started having these conversations. He said they weren't necessarily closed to them, but to Mr. Furci's point, they haven't started thinking this far ahead. But again, we can begin that conversation here. Mrs. Furci said on the sidewalks where people have restaurants are are serving alcohol, it will be difficult for them to fence in that area. Supervisor Slater said, at the end of the day, the Town just wants to make sure they are doing their part in easing any regulation they can from a permitting or approval process. He said what happens beyond that, is frankly out of their control because the Town of Yorktown doesn't run the SLA. He said he knows that when the lights get turned off, people think he runs the utility company but he doesn't and the same with the SLA. He said we have to do what we can and do our part as a local government and he thinks this achieves that. As for what is beyond restaurants, he said it seems like the law is pretty loose which is his initial take but he feels we still need to do some additional research. Supervisor Slater said he thinks we can start here and thinks it is a very strong starting point and sends a very strong message and then we can expand it as we see fit to insure that other small businesses enjoy the same opportunity as our restaurants, eateries, and cafes. He said we are going to do everything we can across the board

to give everyone a helping hand. We will find creative ways to do it and this is the first step in that direction.

Councilwoman Roker said she thinks every business that Sergio Esposito mentioned, with the exception of the gym, are permitted to put a table outside and have their wares displayed outside.

Mr. Esposito said we could possibly add, on a limited basis, different types of businesses. It doesn't have to be everybody, because everybody isn't going to want to partake it in anyway. Mr. Esposito addressed Supervisor Slater and said he thinks he is on point with that; he just wanted to start the conversation and bring it up since it was something discussed in the Task Force as an additional idea. Mr. Esposito said there was one last thing (addressed to Mr. Landi) – what does the expedited permit process look like? Is it a week, two weeks, a month?

Supervisor Slater answered Mr. Esposito, as Mr. Landi had left the meeting. Supervisor Slater said it is hard to put a number on it because we haven't implemented it and we haven't had a test run, but needless to say, it is going to be a heck of a lot faster to get a Building Department approval rather than, as John Tegeder had pointed out, the every other week schedule of our Planning Board and go through their process. So you're still looking at cutting it down to a third or a half of the time (if not more) depending upon how quickly our Building Department can respond to the applications. He said the other thing he kept meaning to mention that he wanted to throw out there as well is that by amending the law we are also going to be allowing for music. Apparently, according to the law, it's kind of like our smoking law – it's kind of footloose – no music apparently is allowed outside in the Town for restaurants so we are going to be amending that. He said he thinks this is an important proposal, as well, so that music would be allowed during specific hours, i.e., not until the middle of the morning – this isn't going to be a rock concert in Yorktown for the whole summer (even though he wished it would be) but we will have responsible hours associated with the music. So this would be another enhancement to the current code.

Councilwoman Roker said this is one that John Landi will have to pay particular attention to if the restaurant is near any residents and their homes.

Supervisor Slater said (addressing Town Attorney Adam Rodriguez) he thinks that right now the way it's written is from 12:00 p.m. to 10:00 p.m. that music would be allowed. Mr. Rodriguez said this is correct. Supervisor Slater said if we need to amend that, we can but at least for the time being it would allow outdoor music from 12 to 10 for these establishments.

Mr. Esposito asked if that once it's passed, can the Chamber advise our local businesses to start their application process ahead of the opening (acceptance) of this proposal. Councilwoman Roker said absolutely. Supervisor Slater said that's why he recommended they do both – the Emergency Order so that you can start having businesses apply, as well as the legislative process because the legislative process and the timeline won't match up.

Councilwoman Roker asked Mr. Esposito to send a copy of the Emergency Order that Supervisor Slater signed out to the owners of the restaurants so they can start to do it now and that way John (Landi) won't be taken off guard when ten of them come in at one time.

Supervisor Slater said they are going to craft the Emergency Order to reflect the amendments to the code that our legal team has been working on in conjunction with John Tegeder and John Landi. He said he thinks his feeling is that this is the correct way to go. He asked if any members of the Board had any objection and was told no. Councilman Diana said he thinks it is a great idea and a laudable task to have these restaurants start to open and start to do some business with the social distancing, etc. He said the Furcis have a wonderful place out back and he has sat back there himself with past Supervisor Michael Grace and a couple of others. He said is a great idea and one of his main concerns, if we do decide to do that, is (he and John Tegeder have had this discussion in the past) like the Trailside Café – they need some bollards or something out front (some type of barrier) so that if people are sitting out there and a car goes through, they are protected. Councilwoman Roker agreed with this and said it is scary outside of their place. Councilman Lachterman said it is, especially with the way some people drive. Supervisor Slater said they can have the Building Department take a look at it and we will rely on them to properly enforce this.

Councilwoman Roker asked when they would be voting on this. Supervisor Slater said it will be a motion to refer out the amendments to Section 300-80 to the necessary agencies.

REFERRAL OF PROPOSED LOCAL LAW AMENDING CHAPTER 300-80(D) AND SECTION 300-80(C)
RESOLUTION #136

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

RESOLVED, the Town Clerk is authorized to refer out to the necessary agencies for their review and/or recommendation a Proposed Local Law amending Chapter 300-80(D) and Section 300-80(C) of the Code of the Town of Yorktown entitled "SIDEWALK CAFES."

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

Supervisor Slater said he would also entertain a motion to instruct the Supervisor to sign an Emergency Order reflecting the proposed amendments to Section 300-80.

EMERGENCY ORDER TO REFLECT PROPOSED AMENDMENTS TO SECTION 300-80
RESOLUTION #137

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

RESOLVED, the Town Supervisor is authorized to issue an Emergency Order to reflect the proposed amendments to Chapter 300-80(D) and Section 300-80(C) of the Code of the Town of Yorktown entitled "SIDEWALK CAFES."

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

Supervisor Slater said we will prepare the Emergency Order so we can begin implementing immediately and the Town Clerk's office will refer the amendments to the necessary agencies.

Sergio Esposito said it was a great job and he appreciates everything the Board is doing for the Town.

The Furcis thanked the Board and the Board thanked them for their efforts, as well.

ATHLETIC FIELD LIGHTS LEGISLATION

Supervisor Slater introduced Parks and Recreation Superintendent Jim Martorano, Commissioner Matt Talbert of the Parks and Recreation Commission, John Tegeder - Director of Planning, and Town Attorney Adam Rodriguez.

Jim Martorano said in early January the Board had him come in to ask him to go over a few things in the Town Code that he thought could be updated – the Board has already handled the smoking update - and the other thing he brought up was lighting. He said in Chapter 200-6 he had one small issue, which read, "sports fields may be lit, provided the lights are only on when the field is in use and the light fixtures are properly shield and properly aimed at the intended field of play." Superintendent Martorano said we have updated our lights at Granite Knolls; we are using LED lights and they're a copyrighted light, a patented light, called the Game Changers that specifically light our fields without a full shield needed. He just wanted to change that one line (two words) and John had a good idea on how we can change it.

Mr. Tegeder said, as Jim Martorano just said, that it says the light fixtures are fully shielded and obviously a sports field is a little bit of a unique animal. He met with Jim a couple of times, along with Matt, and it's clear this should be modified somewhat. His thought was that we should still try to shield these lights from people's vision and, in particular, the light source from your eye and we should do that to the greatest extent practicable and that is the term he would like to see inserted in there. In this way, the Planning Board will be able to do as good a job as can be expected but still you're not going to be able to set up a lighting plan for a field as you would expect for a parking lot or a commercial installation. Supervisor Slater said the phrase we're going to add is "to the greatest extent possible" and that is the only amendment we're making. John Tegeder said "to the greatest extent practicable" and Supervisor Slater acknowledged the correction. Superintendent Martorano said that is exactly what they did at Granite Knolls.

Councilman Diana said he thinks this is a great idea only because Legacy Field doesn't have those types of lights so they have to be shielded. Superintendent Martorano said they are candescent lights and need shielding. Councilman Diana said we cannot remove that 100 percent out of the law, per se, so he thinks this fits well. He asked Town Attorney Adam Rodriguez what he thought about this and Mr. Rodriguez said he thinks this works.

Supervisor Slater made a motion to refer the amendments out to necessary agencies.

REFERRAL OF PROPOSED LOCAL LAW AMENDING CHAPTER 200 "LIGHTING, OUTDOOR" ARTICLE III, SECTION 200-6(H)
RESOLUTION #138

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

RESOLVED, the Town Clerk is authorized to refer out to the necessary agencies for their review and/or recommendation a Proposed Local Law amending Chapter 200 of the Code of the Town of Yorktown entitled "LIGHTING, OUTDOOR," Article III, entitled "Procedures and Requirements," Section 200-6(H), by deleting the words "fully shielded" and replacing it with the words "shielded to the greatest extent practicable."

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

Supervisor Slater said we will move this forward and the Town Clerk will refer it to the necessary agencies. He thanked all for their help in moving this forward.

Superintendent Martorano asked Supervisor Slater if he would like him to stay for the MOU and Supervisor Slater said yes.

FLEET/ASSET MANAGEMENT SYSTEM PRESENTATION

Supervisor Slater introduced Phil DeFina from Safety Management Systems, Inc. Supervisor Slater said he and Councilwoman Roker at the end of last year during the budget discussions, talked about fleet management and one of the things he talked about was asset management. Mr. DeFina introduced Christian Ducker and Jason Adam. Supervisor Slater said this is to discuss a fleet and asset management system and asked Mr. DeFina to discuss the services that they can provide.

Mr. DeFina said he is a long-time Yorktown resident and his company's name is Safety Management Systems. They are a provider of safety management technology and consulting services and have also developed software solutions called SMS360 and Fleet 360. These are software tools that allow companies and municipalities of any size implement and manage their EHS fleet safety, DOH, and OSHA compliance. He introduced Christian Ducker, the president of SMS and Jason Adam who is the Fleet Services Director. He said after several conversations they had and several meetings, they have come up with a proposal which they believe will help Yorktown by determining gaps and opportunities in its current fleet management and maintenance program.

Jason Adam proceeded to explain the proposal and give a brief overview. He said Supervisor Slater reached out to them with some concerns regarding the status and maybe to help with the fleet maintenance management program. He wanted to cover the service review bid that was placed by SMS360 and what that entails. He said the review will be performed by himself and will include a comprehensive review and analysis within fourteen days of the Yorktown fleet division. Those areas will be vehicle maintenance (he said he provided the Board with a slide with high-level/low-level reviews to provide a little bit more). He said he looked at the scope of the repairs being performed and the quality of those repairs and some examples of perhaps call outs would be:

- Are we doing \$15,000 of repairs on a vehicle that has a net book value of \$5,000? Is there a justifiable business reason for that? There can be, and those would be things he would be looking at.
- Are the recommended OEM servicing procedures being followed? Since 2002, the trucks have gone from one and two computers to as many as eight and nine these days. Does the shop have the necessary tooling and software to keep up with technological advancements?
- Very expensive and procedurally complicated exhaust filtration systems have been added to the vehicles over the last couple of years. Has the PM program been revisited and compensated to make sure OEM recommendations can be adopted for those filtration

systems. And are they being done on the PM services? Any of those that are not being followed definitely have negative financial effects that go along with that.

- Another area would be staffing and culture. As we all know, a happy employee is a productive employee, so he also takes into account the culture of the shop and employee morale. Any call outs that can be instituted for large culture gains would be definitely implemented or suggested.
- He said they look at OSHA requirements as well. He said today he had a Stamford technician operating a torch two feet from a full can combustible brake cleaner so he had to tap him on the shoulder and say “Hey, why don’t we think about what we’re doing right here and let’s prevent some negative effects.” He said he always keeps an open eye on things when he walks through shops.
- Is organization responsibility being performed and are those streamlined? Is the tooling in the location where the work is being performed? Some common sense type items that throughout the years kind of maybe lose touch in the shops.
- The review would also include looking at systems and support. Basically, an analysis of the existing software to ensure it’s touching all the needs of the Yorktown fleet, as well as the standard fleet maintenance reporting needs. He said from previous discussions it sounds like his time here may be a little limited but that’s okay and he will continue to keep an open eye and definitely check in to whatever there is for reporting measures currently in place.
- He said they will also be looking at the asset inventory which means the fleet vehicles, but also there is a parts inventory which each shop usually carries. So he will be taking a look at the parts we carry. He will be looking at the parts carrying cost of the inventory. He said simple things such as the parts carrying cost of the inventory. He said simple things such as inventory stock levels over the years that have been inflated maybe to compensate for poor vendor performance or supply chain, or even just lack of process and adherence to process. He said he was able to trim \$40,000 from an Indianapolis-based shop in one month just by looking at their mins (minimums) and maxes (maximums) of their values and taking an assessment their fleet supply chain of those parts getting to the shop. They did this without impacting the uptime of the equipment and that’s a win for all parties involved – operations, as well.

Mr. Adam said he wanted to keep the presentation brief but said there are a lot of things that he will be looking at over the scope of this project like tire programs, and tires and fuel that are the biggest expenses usually for fleets. Also, are idle shutdowns timers being implemented – those are huge fuel cost savings. Are parts cycle counts being performed and what is the frequency of those inventory parts adjustments? Is there a tiered structure in place regarding financial decisions, i.e., does the local shop level have this amount to spend and then it goes on to another person? These are just good business practices that should be implemented. Mr. Adam said these are the things he will be looking for and reviewing if we proceed with the contract. He said at the end of all of this, they will compile all of this into an analysis of the strengths, weaknesses, opportunities, and threats along with providing not just “here’s what we found” but along with that comes the industry recommendations to adopt and implement and tackle any negative findings. Mr. Adam said this is essentially the basis of the review proposal and, hopefully, he touched on things the Board was looking for and, if not, to please let him know if they have any questions.

Supervisor Slater told Mr. Adam he appreciated the presentation and apologized that it had to be so brief. He said he would be interested in hearing Councilman Diana’s thoughts and questions might be on the presentation.

Councilman Diana said, as we all know, these newer vehicles out there have such a drastic new amount of emissions systems (him being very familiar with fleets and fleets management, having those type of vehicles himself) and the cost is ridiculous, at best. If we can keep a handle on that, this would be the best way to do it. He said it is hard to say at what point because these new vehicles now have to go back to the dealer since there are so many electronics and he believes that Mr. Adam said there were two computers and now there’s seven or eight or ten or whatever they’re putting on now to get the same job done for the emissions, and so on and so forth, that it becomes an arduous task for even the dealerships to handle where they have fleets that have downtime of months. He said he doesn’t think the Town, as a shop, would have probably, let’s say the recycling facility for diesel, in particular and that would probably have to go to a refiner or a Mack dealer. He said that, in itself, could be a real money saver and thinks that you’ll probably find as you go through our shops that our mechanics are pretty well staffed with the equipment and the parts that they need to keep the stuff running, especially the emergency stuff that has to go out and plow snow for forty-

eight hours at a clip. He said they a good percentage of the trucks up unless, God forbid, they get wrecked. Councilman Diana said it is interesting the amount of other things you have to put into a fleet management system that you didn't have to do in years gone by because of all of these Department of Energy updates and unfunded mandates, so to speak, that they make towns, villages, and fleet owners have. He said it is something that we need, it is something that would be an asset for the Town to move forward in, and he would like to look a little more closely at but that the Board should check it out.

Councilwoman Roker asked Jason Adam if he realized the Town has three separate departments that perform our vehicle maintenance and Mr. Adam said yes, he was informed that there are three locations, potentially four. Highway may have their own vehicles they work on, Police and maybe Fire may share one and yes, he was aware there are several locations and it was in the bid and he would be visiting all of those locations, as well.

Councilman Patel said, first of all, are we going to include of the police and highway and all of the vehicles we have in Town in this? He also asked Mr. Adam if he had any kind of plan where he can see what vehicle is going where and doing what and the scheduling of moving the vehicles around. He said highway and police should keep their vehicles where they are and have a record of maintenance. He said we have two antennae in Town now that you can use to know what is happening in the vehicle, where it is, and its condition right away. He asked if Mr. Adam he would use these antennae in his program. Supervisor Slater asked if Councilman Patel meant the GPS tracking system and Councilman Patel replied yes, the same antennae we are using now for the Water Department could be used for this. He thinks everything combined together would be really good. He went on to say we don't know even when a filter has been changed and this information would be available right away to be fixed before it breaks.

Councilman Diana said Councilman Patel had a point, but our mechanics do keep copious notes of when they do maintaining of the vehicles and how they maintain them; they are very meticulous on that. He said it is like the old saying years ago, "garbage in, garbage out," as long as you put the numbers in your program, it's going to spit out truck number 14 needs a diesel particular filter regen or something of that nature and that will pop out on your daily reports or however they're manifested. He said, in as far as GPS tracking, we do have that capability at this point and it just has to be implemented. Councilman Patel said this is important because this way you know before the truck breaks down, you can maintain it before the season changes and do preventive maintenance. He said he understands that it is important that there are all kinds of communication devices on the trucks and it is difficult for the Town to have all kinds of diagnostic tools for the vehicles. He said the Town should explore how all of this could save money.

Councilwoman Roker said the reason she brought this up during the budget was because this could provide us with a guidepost in terms of helping the Supervisor, when creating his budget, understand which cars should be removed and how many new ones we need for the fleet. She feels that this is something that is long overdue. Councilman Diana said Councilwoman Roker is 100 percent correct on this point. Supervisor Slater said he thought Councilwoman Roker nailed it. He said this is one of the things he had been talking about since they met during the budget cycle and to her point, really our fleets are siloed away from each other and so when we are trying to make financial decisions, we're not really seeing a holistic picture; we're seeing a picture based on each individual silo and he thinks that really cripples the Town's decision-making process to a point. He said, on top of that which he thought was very interesting and wished Jason Adam had more time to go into more deeply, is looking at our purchasing and making sure that we are making...he thinks there is going to be some savings there, potentially. Councilwoman Roker agreed with this. Supervisor Slater asked Jason Adam to expand on that a little more.

Mr. Adam said he and the Supervisor has talked about this briefly on another call and said as Councilman Patel had pointed out, there are multiple OEMs across the fleet that brings inefficiencies of its own within the shop, i.e., the training, the different software that required with all of these. So, he said, there are gains to be had when you consolidate OEMs and go to one, like a Mack, or whatever that decision is there's definitely gains to be had. But, he said, to go exclusively with one OEM is also not recommended either. Coming from the retail environment, he said he watched business owners play the dealerships against each other and it's also recommended as good practice to go get a bid from another vendor and then take that back to your original vendor and say "hey, I'm talking to these guys for ten trucks over here right now – what are you going to do for me?" So you have a little bit of leverage power but definitely, as Councilman Patel said, if you have multiples

across there, they'll probably look to consolidate those down to just one or a couple. Some OEMs are better for certain applications than others, as well, and these are things to be cognizant of.

Councilman Diana said he thinks Jason Adam hit the nail on the head when he said you have a \$10,000 pickup truck, for argument sake, and you're putting \$8,000 into it. At what point do you say "enough is enough?" This is something that is a very cost saving thing for the Town when you say, once you get to a certain point, "this thing is scrap value." And you don't want to get to that point. He said he didn't know how many vehicles we had where the frames were rusted through, they were welding frames and putting pieces in it and spending thousands of dollars upon thousands of dollars just to keep them running. He addressed Mr. Martorano by saying his group just got rid of a couple of trucks that were pretty bad. Mr. Martorano said yes, they were 20 years old or so.

Supervisor Slater, addressing Mr. Martorano, said this is perfect because how much equipment do you have – you've got your vehicles over in Parks but you also have a whole collection of equipment over there, as well. So, Parks has their equipment, Highway has their equipment, Water has their equipment, Building Maintenance has their equipment – you can see the boxes that we're dealing with instead of looking at things holistically, which could (if we did look at things holistically) allow us to make the best financial decisions and the best financial investments for the Town; but it would also help us find savings and in this environment where we're looking at post-coronavirus and the financial hardships, which he believes we are going to overcome, these are things we need to be talking about – how do we find cost savings and actually enhance our behavior and use data to make these decisions. He said right now we don't even have the data to make the right decisions when it comes to budgetary items like trucks, equipment, and so forth because they're all siloed. Councilwoman Roker agrees with Supervisor Slater and said absolutely because we're making them (decisions) in the dark. Mr. Martorano said it seemed kind of a "penny wise, pound foolish" mentality we've had where we have old equipment that we keep fixing that breaks down and wastes time which wastes more money. Mr. Adam said if you were to charge that out the historical data would look like a hockey stick with age on the bottom and cost on the top. He said there are different models out there for different operations of business, understanding city equipment doesn't see the effect that does take play into your maintenance procedures. Now you're looking at PMs based on EPA than mileage.

Supervisor Slater said he thinks it just makes us more cost efficient and cost effective and that's what we're trying to accomplish. It allows us, as decision makers, to see the picture holistically rather than silos and those are things we are trying to break down. He said he wanted to bring it to the Board and wanted the Board to be part of the conversation and hear what this company had to say and we can continue to have this conversation and determine next steps, collectively. Supervisor Slater thanked the representatives from Safety Management Systems. Mr. DeFina said if anyone wanted to give them a call, to share his number and they would be happy to answer questions.

Supervisor Slater said this was exciting; it was something they had been talking about for a couple of months and, hopefully, the Board can make a decision and move it forward.

NY/NJ TRAIL CONFERENCE

Supervisor Slater introduced Parks and Recreation Superintendent James Martorano and Walt and Jane Daniels to the discussion. He said one of the things the coronavirus has allowed us to highlight in the Town Yorktown are our trails – over 40 miles of nature trails – and Walt and Jane have been so pivotal in creating our nature preserves and our trailways. He said he understands and wants to use this as a reminder to the public that when you are going to our nature trails and see too many cars, please don't join the party. He said we had a problem down in Teatown this past weekend where, frankly, we had to call the local police because there were so many cars because so many people wanted to go and enjoy the trails down in Teatown that it did cause actually a traffic problem for the residents. He repeated the reminder that if you are driving to one of our trail and you get to the trailhead and the parking lot is overflowing with cars and people, there are plenty of other places to go. Jane Daniels agreed and said people can always ask them where's a good place to go to hike. She said there are plenty of good places in Yorktown but there are other places as well and some of them even have alternate parking areas. Supervisor Slater said he brought his family into Sylvan Glen at the beginning of the coronavirus and somehow, somehow he got twisted around and was trying to figure out which way to get back. He said he was on his cell phone, and there were two or three other people, too, who were trying to find their way back.

He said he called Jane at home and asked her which way to go and she asked when you see the stream which shoulder is it on and he told her the right shoulder and she said, no, put it on your left

shoulder and walk straight and you'll get back. Jane said she knows Sylvan Glen quite well. Supervisor Slater said it is a beautiful, beautiful place and it is getting a lot of attention and attraction.

Supervisor Slater said we are talking about the MOU (Memorandum of Understanding) with the NY/NJ Trail Conference and said both Jim (Martorano) and John Tegeder are present. He asked Jane and Walt Daniels to walk them through this for the Board and people at home - what this MOU is going to allow and why it's good for the Town.

Ms. Daniels said it spells out who does what and what we do jointly. One section lists that the Trail Conference can do, another section lists what the Town can do, and a third sections lists what we can do together. An example for the last section is talking with Jim Martorano and saying we could use some money for this and the Trail Conference applied for a grant but what can you do, what can you supply for lumber, and so on. Or, for example, she may have a Boy Scout who has an Eagle project and they're supposed to supply their own materials – she lets them know that they take care of things like that they don't overburden his staff that is involved with the physical keeping up with the parks. The volunteers for the Trail Conference are basically a workforce and they love what they do.

Supervisor Slater asked Mr. Martorano for his thoughts or questions about the MOU. Mr. Martorano said the Commission has looked over the MOU and agreed upon it. He said his staff is more than happy to do what is on the MOU and he said he is happy to continue this wonderful relationship they have.

Mrs. Daniels said there is something that has come up with the Trail Conference that is not negative in any way, shape, or form but MOUs have come up in the past and what the Trail Conference has now is sort of a model MOU (by the way, the one with the Town sort of started it) and what they want to see is a list of parks where the Trail Conference maintains trails be listed as an appendix so that every time they would add something it doesn't have to go through a massive review but instead would go to the Parks Department and the Parks Commission and they say just add that to it. An appendix in an MOU doesn't have to go back to the Board.

Supervisor Slater asked Town Attorney Adam Rodriguez if he had any concerns with this. Mr. Rodriguez said the Board could authorize, for example, the Superintendent of the Parks Department to include additional park properties either become town-owned parks or, for whatever reason, aren't originally included. He said that should be something that is in the resolution.

Supervisor Slater asked Director of Planning John Tegeder if he had any issues. Mr. Tegeder said the latest iteration that he looked at made reference to parks and other town-owned lands and if that is the case, he doesn't have any issues. He said he always thought the agreement to work together in that fashion was great, but on the latest trail there are some future road issues that need to be left open for us and he thinks this does it.

Mrs. Daniels said one of the things that is kind of unusual was that the Mohansic Trail is Town-owned protected parkland and it took a bit of head scratching from both she and Mr. Daniels to come up with other places this had occurred and there are odd places scattered around. Cranberry Lake has some of their trails on DEP property – is that protected or is it not protected? So, just saying it's town-owned land gives them a little flexibility. She said right now she doesn't know how many more parks will come under the Parks Department and have trails on them. Mrs. Daniels said Yorktown has more trails in the town than any other municipality and that includes State parks, county parks, not for profit, as well as the town-owned ones. This shows the vision Linda Cooper had many years ago on getting parkland and connecting them – our trail system is amazing and people are really appreciating it right now. Supervisor Slater said one of the silver linings of this whole pandemic is that the assets of our nature trails are really coming to light and people really enjoying them. He said you (Jane Daniels) and Walt have been trailblazers in making sure we've got those trails to enjoy right now. He thanked them both for all of their efforts. Supervisor Slater said there is a resolution for the Board to consider later in the agenda regarding the Trail Conference's application for a Greenway Trails grant to repair sections of the Briarcliff-Peekskill Trailway and wanted to know if Mr. and Mrs. Daniels wanted to touch upon that while they were still present.

Mrs. Daniels said the Briarcliff-Peekskill Trailway runs through a number of municipalities. It was to be a road and that never happened. There are places where, she wouldn't say overused, but it

hasn't been taken care of as well and the Trail Conference had decided they wanted to undertake that so they are applying for a grant to buy materials. There is a very tiny portion of what they call the BPT (Briarcliff-Peekskill Trailway) that needs some work that is near Teatown and the rest of it is in the Town of Cortlandt but they need to have a letter of support from the Board, which she sent a suggested letter of support to the Board that can be changed however the Board wants. It had the details they need to know there. Mrs. Daniels said this is at no cost to the Town, whatever. It is just sort of a blessing saying go ahead and apply for the grant.

Councilwoman Roker suggested they do the resolution now.

SUPPORT OF NEW YORK-NEW JERSEY TRAIL CONFERENCE'S APPLICATION FOR A GREENWAY TRAILS GRANT
RESOLUTION #139

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

RESOLVED, that the Town Board supports the New York-New Jersey Trail Conference's application for a Greenway Trails Grant to repair sections of the Briarcliff Peekskill Trailway.

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

Supervisor Slater said this is a formal resolution from the Board supporting the grant application that they will share with Mr. and Mrs. Daniels along with a cover letter.

Mrs. Daniels said she had another question on the MOU. She said the list of parks where the trails are has to go back to the Conference for a signature because that is a slight change in what the Board had seen and so Matt being able to sign this would be great. She said she guessed this would have to be brought to the Board meeting next week but she will get that back to the Trail Conference when he (Supervisor Slater) gives her the okay.

Supervisor Slater said if there are no objections, they will add it to next week's agenda authorizing him to sign the MOU but he wanted to make sure that they were able to pose any questions to Mr. and Mrs. Daniels, John Tegeder, Jim Martorano, and Adam Rodriguez collectively and see if there was any feedback from the Board.

Councilman Diana thanked Walter and Jane Daniels for everything they've done and said let's get it done and moving for them.

Mrs. Daniels said she also just wanted to say that they have wonderful volunteers who work with them. She said when people say "what will happen when you retire?" they say they are already thinking about who they will put into their positions. Supervisor Slater said "you're not going anywhere anytime soon" and Mrs. Daniels said probably not. She said they will be training them (their replacements). Councilwoman Roker thanked Mrs. Daniels. Councilman Patel thanked them both and Councilman Lachterman said it has been a pleasure working with both of them over the last four and a half years and hope to keep going. Mrs. Daniels said working locally is absolutely wonderful; to be able to go out the door and in seven minutes you're on a trail or doing some trail work. She said they can't do anything now until the restrictions are off but they have already been noting some things. Councilman Lachterman said his wife told him part of the problem if he keeps voting on the trailway issues is that he has to get out and walk them. Mrs. Daniels said they have an open invitation for anyone who would like to go out and walk and see the giant boulder or the quarry oak – they will be glad to take them once the restrictions are off.

Councilman Diana told Councilman Lachterman that when he goes out to walk to let him know and he'll come out and watch. He told Mr. and Mrs. Daniels that they can't retire, because how would Matt (Supervisor Slater) get out of the woods? Mr. Daniels (laughing) said they've got other people who know the woods. Supervisor Slater said his son Charlie still talks about the hot chocolate they gave him when they went hiking in the fall. Mrs. Daniels said when you're four years old, you need to make your priorities the right ones!

Councilwoman Roker asked Mr. and Mrs. Daniels if they still have a map of the trails in Yorktown and Mr. Daniels said there is a brand new one and the Town's website links to the new map. He said as soon as they can get out on the trails they will replace the ones in the kiosks which are wrong

at this point. Superintendent Martorano said they can handle that for them and they can talk offline about this. Mrs. Daniels thanked Superintendent Martorano for pitching in on some stuff to get a tree that they couldn't go out and take care of (it blocked the trail). Superintendent Martorano thanked them for all of their hard work.

102 HITCHING POST LANE

Supervisor Slater introduced Ken Belfer to the discussion. Mr. Belfer said it was nice to hear from Mr. and Mrs. Daniels. He said one of the trails they worked on with them was Rock Hill Park in Mohegan Lake and he's been around that and many of the other trails in the last month. Mr. Belfer said he is joined this evening by the other two members of the Housing Board, Maura Gregory and Jude Smith. He is also waiting for the person(s) trying to sell an affordable unit to call in to the meeting but said they can proceed without them. Supervisor Slater asked Mr. Belfer to give the Board a "Cliff Notes" version of what they are looking at.

Mr. Belfer said Lori Garofalo, the daughter of an owner of an affordable unit at 102 Hitching Post Lane in the Bridle Ridge Subdivision in Yorktown reached out to the Town Assessor letting her know her mother passed away at the end of March. She knew it was an affordable unit her mother had purchased and wanted to know what to do to sell the unit. In the process of cleaning the unit out, she was very appreciative of the fact that the affordable unit allowed her mother to either remain in Yorktown or return to Yorktown. Lori indicated that she had grown up here and gone through the school system so she understands that it was an affordable unit. Mr. Belfer said he had a lot of correspondence and discussions with her and Kim Penner, Assessor, pulled a copy of the deed restrictions and they spell out pretty clearly the process to be followed. The first step in the process is for the owner of an affordable unit wishing to resell it to send an official notice to the Town. Mr. Belfer understands that notice has been sent but he indicated to Lori that he didn't know if she had the legal right to represent the estate. She has a sister but Mr. Belfer doesn't know if there are any other next of kin. She has subsequently retained the services of an attorney and is filing in court to be appointed the executor of her mother's estate. Mr. Belfer said he will leave this decision to the Town Attorney as to whether Lori can give notice at this time or whether the notice she has given is just informal until she is actually appointed. In any case, he said, he wanted to get this moving [sic] as the family the burden of paying the mortgage (they are not living in the house) and it can be a long process so he wanted to get to square one. He also said he wanted to share a brief anecdote that she shared with him that one of the other affordable unit owners that happen to be a Yorktown firefighter saved her mother's life on a couple of occasions by coming over when something happened. So she was really appreciative of that and that was nice to hear. Mr. Belfer said the first thing that has to happen is legal notice has to be given to the Town; the second thing is a decision by the Town Board and the Housing Board would provide a recommendation to the Town Board, and they have provided that recommendation in writing this morning about whether the Town Board wants to exercise its right of first refusal over the purchase of the unit. The Town can exercise its right of first refusal and then sign that right to a designee through the Town's Affordable Housing Program who would then be the actual ones to purchase the home. There is a timetable laid out in the deed restriction that the Town has sixty days from the date notice is given to the Town of the intent to sell to make the decision about exercising its right of first refusal. Then there is a further period of time if it assigns that right of refusal or it doesn't assign it and was just going to buy that unit, it has three months to close. If it does assign it, there's an additional three month period for the designee selected to close on the purchase. Obviously, the family hopes that it won't be a sixty-day plus ninety-day plus one hundred twenty day process altogether and that's why we got to work on this right away.

Supervisor Slater thanked Councilwoman Roker for also bringing this to his attention, as well. He said they would be happy to provide any help and assistance they can to get the process moving both for the Housing Board and for the family. He said, as a point of information, he received the letter today in the Supervisor's office and he asked Town Attorney Adam Rodriguez to determine whether or not she has the legal authority to send that letter – that would be very helpful. Mr. Rodriguez said, based on what he has heard this evening, his position would be that the notice would not be effective yet. Supervisor Slater asked Mr. Belfer what the next step would be.

Mr. Rodriguez asked Mr. Belfer to describe for him, assuming the Board exercised their right to purchase and assigned to a designee picked through the Affordable Housing Program's procedures (that's what the deed restriction says). He asked Mr. Belfer to elaborate on that procedure – how does that work, do you have a queue – what's the status of that? Mr. Belfer said he can elaborate on that – in addition to the deed restriction, there's Article 7 of Chapter 300 of Yorktown Zoning,

Section 300-39 on Affordable Housing that also spells out some of the information about selection. We have a waiting list; it's a fairly old waiting list because we haven't sold a unit in more than a decade so he doesn't know how good it is. What we would do is we would want to get the information out within the community, we would want to do some, hopefully, press releases that would be covered in places like *The Journal News*, the *Yorktown News*, the *Northern Westchester Examiner* and do some basic marketing. Section 300-39 indicates it's basically date of time of application that's used to choose the party the home goes to, so you go down the list – the person with the earliest date of application you would screen first and they would have to be eligible under the guidelines in Section 300-39. Those guidelines in regards to home ownership indicate the household has to be making less than 80% of area median income. He said this is a two bedroom home. Eighty percent of AMI in 2020 for a two-person household is \$80,560, a three-person household is \$90,640, for a four-person household is \$100,640 just to give you an idea of the maximum income for eligibility. The Housing Board, under the regulations, has the role of establishing the resale price. They have run through the scenario for that and gone over it with Lori; it involves doing calculations; it involves any significant improvements that have been made by the homeowner being added to the resale price, if they had been improved by the Town. They are going through that process to get the ball rolling. The real guestimate right now – they're talking about a price of \$120,000 as the ballpark price of this unit, which makes this a fantastic opportunity for somebody trying to buy their first home in the Town of Yorktown.

Councilwoman Roker said it's the Housing Board that really does the heavy lifting here in terms of finding a buyer. Mr. Belfer replied yes.

Councilman Patel asked Mr. Belfer whatever the difference between the initial purchase price and the sale – how much is for the Housing Board and how much is for the person who owned the property? Mr. Belfer said the initial purchase price was \$109,963.44, to be exact, back on December 21, 1998 – that is the price Jeannette Garofalo purchased the house through the Yorktown Affordable Housing Program for.

Supervisor Slater asked Mr. Belfer for confirmation that this particular unit was already in the Affordable Housing Program and Mr. Belfer said yes.

Councilwoman Roker said she would like to see the house stay in the Affordable Housing Program. Supervisor Slater said he has no issues with this. Councilman Diana said he thought it should stay in the Affordable Housing Program and then asked what would a house in that area bring, approximately or on the affordable end because he knows they can only go a certain percentage over what the house was initially bought for when the person who wants to get out or passes (away) can sell it for. Mr. Belfer said it's based on law so the calculation were based on these deed restrictions – they bought the house for \$109,000, close to \$110,000, and it would be close to \$120,000 that they would be selling it for – very, very minimal appreciation that it allowed by their set of deed restrictions. Obviously, this has to be way less than half of the market price. Councilwoman Roker said we're talking about a unit that was built in Bridle Ridge specifically for the Affordable Housing Program, so it doesn't have all the bells and whistles of every unit in Bridle Ridge. Mr. Belfer said it is much smaller, as well.

Supervisor Slater said, again, he had no concerns and no issues so if Mr. Belfer would provide next steps for the Board, they can move along and help the family. Councilman Lachterman agreed. Mr. Belfer said the next step will be when the Town Attorney deems that the legal notice has been given to the Town – that would be the time the Town should be responding about exercising its right of first refusal and expressing its intent, thereafter, whether it's going to assign that right of first refusal to somebody selected from the waiting list for affordable housing. Councilwoman Roker said this is correct. Supervisor Slater addressed Adam Rodriguez by saying we have to figure out how we communicate to the family that the notice they sent – he thinks Mr. Rodriguez will have to examine the notice – and then we can make a determination whether or not it is, in fact, invalid, and then we can take the next steps we need, along with Ken and the Housing Board. Mr. Rodriguez said this makes sense.

Supervisor Slater suggested that Mr. Belfer and Mr. Rodriguez circle back tomorrow and invited Councilwoman Roker to be part of the conversation, as liaison, to make sure we are all properly communicating with the family to get the requisite notice, and once we receive that, we can take the next steps. Thank you's were exchanged between the Board members and Mr. Belfer.

FEATHERBED DEVELOPMENT

Supervisor Slater introduced Town Engineer Michael Quinn, Joe Riina – Site Design Consultants, and Director of Planning John Tegeder to the discussion. Supervisor Slater said this is in regards to a six-lot subdivision off Jacob Road, which the Board has seen before. He asked Mr. Riina if he wanted to provide a synopsis as to what we are discussing tonight. Mr. Riina asked if the Supervisor would like to see a map of the project. The Supervisor said this has already been circulated to the Board and asked if the Board needed to see the project. Councilman Patel asked Mr. Riina if this is the same presentation with the circles and the ponds and Mr. Riina said yes. Mr. Riina said the Board approved a flexibility standard subdivision on this. Supervisor Slater said he thought Mr. Riina could proceed without the presentation. Mr. Riina said essentially they are at the stage where they went to the Planning Board and have preliminary approvals from the Planning Board and they were before the Health Department. They are grappling with the issue of sewerage the project. The nearest public sewer for the project is at the entrance to the ... Supervisor Slater asked if Mr. Riina could pop up the map for the folks at home and apologized for not being more accommodating. He said this is on our cable access channel and on our website. Mr. Riina asked to share the screen. Town Engineer Michael Quinn joined the meeting. Mr. Riina showed on screen the location of the project at the intersection of Catherine Street and Jacob Road. The Field Home and the Seabury (or Glassbury) are nearby. Mr. Riina said the public sewer is located (and showed a blowup image of the extension of the project) at the entrance to the Seabury and is about 500 feet from the beginning of the property. They are constructing a private road to come into the property to service the six lots. The project is down gradient from a manhole so it cannot be served by gravity and they need to pump the sewage to that location. They looked at various scenarios on how to do this and the one they settled on is a low-pressure sewer system; it would be a low-pressure main, which would run from the cul-de-sac all the way up through the private road, up Catherine Street, and connect to the existing manhole. Each individual residence would have its own pump facility; it would be a low-pressure pump system – an E1 system – which would consist of a pump chamber, two pumps, the pump chamber will be oversized to allow for additional one-day storage. In addition to that there will be a transfer switch connection for a generator in the event that there's a power failure and a portable generator could be hooked up to it to pump down each individual station. He said so, in terms of the scenario that's been settled upon, of course the developer would install all the systems and the entire force main network up to the connection point so each resident would have their own individual system which can either be owned and maintained by each individual homeowner or there could be a homeowners association formed which each homeowner would contribute to on an annual basis and they would be responsible to own and maintain each individual system. Mr. Riina said what he means by each individual system – the main which would start at the cul-de-sac and run up and connect up at Seabury would be owned and maintained by the Town as required by the Health Department because that's considered a public main and from that there would be a service connection to a valve box at each property line, so the Town would be responsible up to that valve box, then from that point up to the residence all of the piping, tanks, etc. would then be privately owned and maintained by the homeowner or the homeowners association. This are the terms which they agreed upon and hope to move forward with. Mr. Riina asked Mr. Quinn if he wanted to add anything.

Town Engineer Michael Quinn said Mr. Riina's descriptions were perfect but there are a few things the Health Department wants the Town to be responsible for. One is, as Joe mentioned, be responsible the force main that runs in the right of way, to the property line of each house because it's a private road and the 500 feet along Catherine Street that would all be owned and maintained (installed at developer's cost) by the Town. They also want the Town to be responsible, if there's an extended power outage (and each of these units has enough capacity for a one-day holding time) they want the Town to bring a mobile generator in and service all six lots. He said we already own this mobile generator – it's on the back of a truck – we would basically take it to each lot, we'd pump it down and we'd move throughout the street. They (the Health Department) would want us to be able to do that. They also want the Town to maintain a spare pump in the event that someone's pump fails; they want the Town to have a pump available so Joe and he had talked and he (Joe) had written up in a letter that the developer would furnish the pump to the Town and then we would just hold it in our attic stock.

The third thing is that if there was a situation where whether it's an individual homeowner or the homeowner association failed to complete repairs to the individual septic system that the Town will come in and make the repairs. So basically the Health Department wants to be able to come to the Town if there's ever an issue, they don't want to have to chase down individual owners; they feel that's the Town's obligation and responsibility.

Supervisor Slater said, if his understanding is correct, the Town would then back charge the owner for all costs for the repair as well as the purchase of the replacement equipment and a 20 percent administrative fee. Mr. Quinn said yes, that is the terminology you would want to put in there. Supervisor Slater said it's not like we'd be coming in doing the work for nothing; we'd be coming in and charging the homeowner with a 20 percent administrative fee on top of the cost. Mr. Quinn agreed. Mr. Quinn said the last part of this is the Health Department doesn't want us to just agree to it; they actually want us to adopt this in the Town Code. Supervisor Slater asked Mr. Quinn to explain what the amendment would be because his understanding was that there are three options that were laid out – the third option the County Health Department shot down. The first option puts the Town on the hook for basically everything and sets, in his mind, a very dangerous precedent and that's why we're going with this second scenario. He asked Mr. Quinn to just explain to the Board what the amendments to the Town Code would be. Mr. Quinn said the amendment to the Town Code would be pretty simple but Health Department is worried that a future change in Town position might say the owners have to be responsible for the mobile generators and everything. They want us to put in our Town Code this specific subdivision that either is a reference back to the approval documents which lay out scenario number two, or we'd have to itemize those items in the Town Code.

Supervisor Slater asked if we ever done this before for a development. Councilwoman Roker said no and the Supervisor said he didn't recall ever doing that. Mr. Quinn said we have never done that. He said this is a policy change, which he thinks has been adopted by the Health Department over the last decade. He said he reached out to the Health Department (and Joe has reached out to them, as well). He said they should show him how this has been done recently in (they mentioned) Armonk, which is North Castle, and Mount Kisco. So, this is the new way of them approving these projects because he guesses they're worried a future change in Town policy might eliminate some of these requirements the parties are agreeing to up front.

Supervisor Slater asked, when moving forward, are we going to have to adopt similar laws or amendments to our Town Code based on each development. Mr. Quinn said if there are low pressure pumping systems, which are very rare as we don't often do low-pressure systems, but this is one example where, as Joe mentioned, there is no other feasible option to get sewers here. He said the only other low-pressure systems we currently have are around Route 202 – the business district – and that was done a long time ago. Joe Riina said there is one more – Dorchester Heights Subdivision – but that hasn't been connected but the infrastructure is in place.

Councilman Diana asked to jump in because he said he had some real problems. He asked if he understood that in this development each house has its own storage tank – was it a 1,000 gallon tank they put in the ground in case of power failure. Mr. Riina said it would be set up for one day storage. Mr. Quinn and Mr. Riina didn't think it was for 1,000 gallons. Mr. Riina said it's an additional 500 and change that the Health Department wants. Councilman Diana said he doesn't think the onus should have to be on to have to bring in a generator for this. He said one of two things has to be done here: either we have to put it in our Code before this project goes through that, with this particular type of system has their own generator in place, which, quite frankly, people should have in this day and age anyway. If something should happen that there's a catastrophic failure and their generator doesn't run, of course we're going to come in and do what we have to do to make sure the sanitary line is running, but Councilman Diana doesn't feel we should have to bring our generator over there to run their pumps.

Supervisor Slater asked if this is a plausible scenario with the County Department of Health (addressed to Michael Quinn and Joe Riina). He said it seems like the three scenarios we were given were presented to the Department of Health (asked for confirmation) and Mr. Quinn said we reviewed different ways of getting this done. He directed his next comment to Councilman Diana – the way to avoid the Town being responsible for a mobile generator is each individual owner would have to have a permanently installed emergency generator. Councilman Diana said he agreed with that, for sanitary reasons alone.

He said if there's a catastrophic failure and all of their generators go down, of course the Town is going to jump in and we're going to make sure the sanitary stuff is taken care of. But, to that point, he said they should have to take care of their own running of those low-pressure pumps to get from Point A to Point B, as far as he is concerned. Mr. Riina said the only problem that presents on their end is a monetary one because the Health Department won't accept ... for it to be a portable they

want an underground standby generator which would add somewhere around an \$8,000 to \$10,000 cost to the already additional \$25,000 system just on the lots – that doesn't even include the force main. That's the only additional burden really that it's adding to each of the proposed residences. So we're going may from a \$25,000 system to a \$35,000 system. Councilman Diana said he understands Mr. Riina's plight but he also thinks either that or the builder can put his own generator in just to run these pumps, which should be \$10,000 for five or six houses, which kind of breaks it up a little bit, anyway.

Supervisor Slater asked if we have ever required a generator be installed for any of the other similar systems that are in the Town of Yorktown and Councilwoman Roker said no. Councilwoman Roker asked of Mr. Quinn: she lives on Sarles Drive and is part of the Hallocks Mill Sewer District; when there is a blackout, you don't come to my house to pump out anything, do you? Mr. Quinn replied no; you're on a gravity system (I'm assuming) but most parcels are on gravity. All of the lines in the street are on gravity so the difference on this group of homes is that the line in the street would be pressurized, meaning every house has to be pumped into it. Councilwoman Roker said the only concern she has is with regard to his department. In addition to whatever your people would be doing in the sewer plant, they now have to look over their shoulder and go "okay, now we've got to run out to these particular subdivisions that have these low-pressure systems." She said she understands why the County would want you to put it in the Code because you're essentially amending the way we do business right now. Mr. Quinn said that's exactly right. He said it's kind of like a policy decision if we want to do this. He said he was reaching out to the engineers in Cortlandt because he thinks they've done several of these low-pressure systems in the last couple of years and what they did in Cortlandt is they put out an on-call service contract because when there's a power outage, usually there's a lot of other demands on the sewer department. Councilwoman Roker said that's what she's talking about. Mr. Quinn said so, in those situations, they have an on-call plumbing contractor that will do that work. He said, essentially, we could do something similar. He said with the Hallocks Mill Sewer District Extension Project, in the planning stage, there was something like 80 to 90 of these low-pressure systems so there is likely to be more of these systems in the future. Whatever we come up with here we're probably going to replicate it in the future. He Councilman Diana had a great point – we should come up with how we want to handle this and in the future because it's probably going to last a long time.

Supervisor Slater asked for John Tegeder, Director of Planning, because if they're talking about coming up with a solution, doesn't that impact the Planning Board and the Planning Board's ability to evaluate these projects? Mr. Tegeder said, yes, he thinks it does. Mr. Tegeder said this turned out to be a significant one and prior to approval, this kind of thing is probably better being worked out before then. We (the Planning Board) didn't know necessarily what the Health Department's changing attitudes and policies are but one way to explain it is you may not have had six lots here; you may have had three. He said he thinks it's important that the Planning Board gets out ahead of these things before they're setting lot counts.

Supervisor Slater asked Mr. Tegeder if the change in policy and the potential scenario regarding the sewers would impact the Planning Board's approval of the project? Councilwoman Roker told Supervisor Slater that this has been approved already – they can't stop it. Mr. Tegeder said this kind of information is necessary for them to make a good informed approval and decision on an approval. Supervisor Slater said, to Councilwoman Roker's point, they've already approved this project, is this correct? Mr. Tegeder said not with this solution. Mr. Quinn said it was approved with Town sewer and then the details of that Town sewer he has been working with Mr. Riina and that is kind of what has evolved over the last few months. Mr. Tegeder said that is correct. Mr. Riina said it has always been a low-pressure system or some type of pump system and, at the end of the day, the major part of the burden is really on the developer because they're going to bear the expense of all the infrastructure. Now what they're talking about is this fine point on the maintenance or upkeep and making sure it's being powered when there's a power outage. He said with scenario two or scenario three, it really comes down to a portable pump generator provided by the Town or a permanent generator installed by the developer for each of the lots. As far as this being something out of the ordinary, it's not. It's being done throughout the County – these low-pressure systems. It's not like it's some kind of new technology. Mr. Riina restated, at the end of the day, the major part of the burden is on the developer to put in the infrastructure.

Supervisor Slater asked, in regards to the scenarios that are laid out before the Board, and the memo that was circulated, is the flexibility in these scenarios or are these the options? Mr. Riina said there is some duplicity in what we're showing because his understanding when discussing this with the

Health Department it was either provide back-up generation or one-day storage. They are doing both, so they're doing a little extra. The cost of the extra capacity isn't really that much as far as the tank goes. As flexibility goes, they're (the Health Department) pretty set on what they want here. Mr. Riina said they were pretty direct with Mike and he when they met with them on what their expectations were and how far they would go. He said they were willing to listen a little bit but not very much. Mr. Riina said either scenario two or three – any of these they would go with.

Supervisor Slater said scenario three is not an option, saying it's not the preferred scenario by the Health Department. Mr. Quinn said, to that point, when they sat down with the Health Department, their preference is number one – the Town owns everything, including all these pumps and tanks and everything else. We didn't want to do that so we explored scenario three and what the guy said was that he would have to speak to the Deputy Commissioner because that's not how they're currently approving projects. So that's the summary bullet (on the memo) that it's not preferred by the Health Department and we would have to re-engage them if we wanted to go with scenario three.

Supervisor Slater said the reason he is asking is to solve Councilman Diana's point – in scenario three, each pump will be wired to a permanent standby generator. Mr. Quinn said they (the Health Department) would accept if each lot would have its own permanently installed emergency generator with some language in the homeowners association that they would have to maintain that in perpetuity then that would work, as far as the Health Department is concerned. Mr. Quinn said he didn't think the developer was so keen on that because of the cost.

Councilman Diana said if one generator could be put in (he didn't know the amperage and so forth that these generators put out) but one generator could be put in someplace just for that purpose. The cost of that wouldn't be so high as putting six generators in for six pumps.

Councilman Lachterman said he didn't think it was totally unreasonable to say to the developer here “why don't you put generators on there and you increase the value of the house and the selling point is the safety.” He said he is concerned that if we are the ones bringing the generators, even if there is a deed restriction, how do we make sure the bills get paid? How do we make sure the homeowner doesn't play the game of “I knew nothing about this” He said he knows the law is the law but it could create an ongoing issue.

Supervisor Slater said he just doesn't think the Town should be in the “rotor-roter” business. He said he doesn't think that's their role and so the less we have on our obligation, the better. He just doesn't know how much flexibility the County Health Department will give them on it. It looks like scenario two is the only one they're willing to go on.

Councilman Patel asked Mr. Riina who is going to collect the sewer taxes – the County or the Town? Mr. Riina replied both. Mr. Quinn said the sewer taxes – there would be a sewer tax on their tax bill – currently those taxes are collected and paid to the County because this is in the Peekskill Sewer District. There is also a charge for usage on the water bill and that money goes to the Town Sewer Fund.

Councilwoman Roker said but if we had to go and make repairs, how would we recoup that money? Mr. Quinn said over time we are going to have to service this force main – we're going to have to flush it every couple of years and if there's ever a break, we're going to have to repair it – that cost we would take from the Sewer Fund. So all of the people who are paying for usage and those fees go into the sewer fund and that's what we use for maintenance and repair. Councilman Patel said so they will have a separate sewer maintenance tax, and usage tax, and water tax and all three taxes will be added into their bill. Mr. Quinn said it's two – there would be the sewer tax on their tax bill that the Town collects but pays the entire amount to the County and then there's the usage on their water bill that goes to the Sewer Fund and that's where we use the funds to do maintenance and repair work.

Councilman Diana said these pumps are at the houses, correct? Mr. Quinn said the pumping system would be outside the home on their private property. Councilman Diana said where we run into a little bit of a slippery slope here is us bringing in a generator in to run these things could be a gift of public funds to that particular homeowner or homeowners. He said, where, if I have a septic ejector pump, the Town isn't going to come and plug into that and run it for me – I have to figure it out.

Councilwoman Roker said that is the part that she doesn't understand. It would be assumed that we would go in with a generator when we're asking the rest of our residents in Yorktown "you're on your own for at least 72 hours" but within that day we've got to run up to these homes and do a generator there. She said to Mr. Riina that she didn't want him to think they don't welcome new development but the question becomes whether this is right for us.

Supervisor Slater said, at the same time, he thinks if he has to choose between having the Town own and maintain the entire system, including the pumps, having the Town get a permanent easement for access that will assess each homeowner – he said he just doesn't think we have to go down that road. So if the County is giving us two options here – where we are owning and maintaining the entire system or we have to pull a mobile generator up there – he said he's sorry but he chooses the mobile generator. He said he doesn't think we should be owning and maintaining an entire system because that's going to set a very dangerous precedent and a very costly precedent for the Town moving forward.

Councilwoman Roker asked Mr. Quinn regarding an on-call service – would it be possible for us to tell them that they would have to bring a generator up there if we had a problem. Mr. Quinn asked her who would we ask to bring the mobile generator and Councilwoman Roker repeated if we contracted with one of those on-call services, we would then tell them what we would need from them in advance if we had, let's say, a blackout or whatever, and the money they bill us – how would we get that money back? Mr. Quinn said our proposal would be to put that into the Town Code under the sewer section (he would work with the Town Attorney on the language) but it would say that whatever costs we incur, whether it's for the pump-out, bringing an emergency generator in, replacing a pump that they refuse to do, that we would send them a bill and add a 20% administrative fee. Councilwoman Roker asked who would we be sending the bill to? Mr. Quinn replied the homeowner.

Supervisor Slater said so we would bill the individual homeowner through the sewer district to recoup the money the Town puts out whether it's a mobile generator or a flush or some type of repair. Mr. Quinn said yes.

Councilman Diana said we would get billed and charged for it – is that what he understands? Mr. Quinn said yes, but that would be for work being done on private property. Councilman Patel wanted to know who is going to do all of the bookkeeping in Engineering. If it's going to be the Engineering Department or the Sewer Department, they are going to have keep an eye on this in case anytime something goes wrong. Mr. Quinn said the sewer force main that would be running in the private roadway and then 500 feet along Catherine Street would always be the responsibility of the Town as part of this project approval; we have to own this line and we're responsible for all of the maintenance and whatever repair costs come up in the future.

Councilman Diana asked Mr. Quinn, in sum and substance, to go through the three scenarios here again on what they want to do. Mr. Quinn said the first scenario would be that the developer installs the pump systems on each of the six lots and then the Town owns those pump systems. All of the piping from the private property to the street, and then everything in the street the Town owns, of course. So essentially, that's option number one. So any repairs or problems, the owner calls the Town and we would have to respond and make the repairs – this is option one and what the Health Department likes to see or is asking if we will do. Option number two is we don't want to be in ownership of these pump stations on each property so the owner has to own it and be responsible for it, or as Mr. Riina said, the homeowners association might be responsible for it, as well. Each individual homeowner has this pump station on their property and is responsible for all of the costs and maintenance or whatever comes up. The pumps typically last 8-10 years, so at the end of that period they will have to be responsible for the replacement costs. Mr. Quinn and Supervisor Slater repeated that under option two the individual homeowner is responsible for the replacement costs. Mr. Riina interjected that the Town would have spare pump just in case the homeowner doesn't address it on their own.

Mr. Quinn said that this is option two; in option one every homeowner has to have a spare pump so there's two pumps in the bottom of this pump station and then they have to keep one pump on the side. So option one is we maintain the pumps and keep the one spare pump in our shop and then if we ever had to use it, we would be able to go in there and repair it with that pump.

Supervisor Slater restated: option one, we (the Town) own and maintain; option two, we backstop; and option three, we can't do because it (the memo) says it's not preferred by County Health. So,

it's either option one – we own and maintain – which we've never done before; or option two – we backstop and should something arise where the homeowner does not correct or address, the Town comes in over the top, corrects and addresses and then, according to Mr. Quinn (which he's still not clear on this), the Town would then bill the individual homeowner the expenses. Mr. Quinn confirmed this.

Mr. Tegeder asked to have option three explained. Mr. Quinn said option three is where the homeowner is responsible to own and maintain their own pumping system. The Town would not be responsible for the backstop to do any repairs, so in that case each owner has to own and maintain a spare pump on their own and then each owner has to have a permanently installed emergency generator. Mr. Tegeder asked whom this was not preferred by and Supervisor Slater said the County Health Department, according to the memo. Mr. Quinn said the Health Department said that if that's the option we're going with, the reviewers were not prepared to tell us it was okay; they would have to their boss, the Deputy Commissioner, to find out if they would even allow that. He was told they have not allowed that in the past.

Mr. Riina said he thinks the bottom line is somehow, and not necessarily for the purpose of being responsible for, the Town needs to be involved to the extent where if the homeowner doesn't act, the Town can step in and take care of it. He said in options one and two that's where the main emphasis is.

Supervisor Slater said this has happened in places like North Salem – he said he thought North Salem owns and maintains (over by Peach Lake). Mr. Riina said he doesn't think there was any idea on the client's part that it was going to be anything different than option two. They always anticipated that the homeowners or the association was going to maintain the system. What's gotten a little fuzzy here is that the Health Department stepping in and saying “well, now we want the Town to be backstop and to be there with a pump when it's necessary” and so on. They want to take that responsibility out of the hands of the homeowners, which he doesn't totally agree with them on. If they have a problem and they don't take care of it, their toilets are going to back up. They're just going to have problems. He said he knows that's going to create a public health issue, but they will be sure to resolve the problem whether they call a plumber or call the Town if they know there's a mechanism for them to call the Town and have it pumped out.

Councilwoman Roker said the only concern she would have here is that those things are addressed before the homeowner buys the property so that every time something happens with their sewer, they're not calling the Town – they have to be responsible for something. Mr. Riina said there is sure there can be some type of file declaration that gets attached to their title when they purchase it – similar to what they do with the storm water management stuff: they have a maintenance agreement where the homeowner understands there's a responsibility on their part. We could do the same thing with this.

Supervisor Slater said his question is still on the billing. He said he is still concerned and is still unclear on how we are billing on the services that we, as a Town, are providing. Mr. Quinn said what Mr. Riina just described is the way he assumed this would go, as well. Most owners are going to be taking care of their system on their own; they own it and it's in their own interest to take care of it. We're the backstop so we're only going to step in if they don't take care of it, but, again, if we have to step in to take care of it, then the cost that we bear will be billed to the owner and, as in the storm water maintenance agreements, if the owners refuse to fulfill their obligations, then the Town has rights under escrow or put a lien on a property to recover the costs that were spent.

Supervisor Slater said he had two questions: 1) where are we taking the money out of to pay for those improvements that they're failing to make or the repairs; and 2) how are you collecting that (he understands the escrow part)? He said he was not clear and asked are you taking the money out of the sewer fund that we're collecting in taxes to go towards maintenance? How do you replenish that?

Mr. Quinn said the sewer fund is comprised of sewer taxes and the usage charges from the water bills – that's essentially the revenue (plus permits and miscellaneous things like that). In this case, the charge would be through the sewer fund; we have a cost code for maintenance and repair, so that's what we would use for maintenance and repair. Mr. Quinn said the invoice would be generated from my office (Engineering) and when we got the revenue back, it would be coded. Supervisor Slater said he wanted to make sure we can syphon money from the sewer fund to your maintenance

line, but your maintenance line is not going to be budgeting for it, correct? Mr. Quinn said he didn't know what these costs may be – he assumed they would be minimal for the first 10 years or something because these systems don't typically require a lot of maintenance or repair. Mr. Tegeder interjected that we may not be doing maintenance or repair because the homeowner should be doing it. Mr. Quinn said yes. Mr. Tegeder said the scenario in which we would have to go and do it is a minimal likelihood. Supervisor Slater asked Mr. Quinn what fund we would be pulling this out of and Mr. Quinn replied the YS fund – the sewer fund. Supervisor Slater asked if it's Peekskill or Hallocks? Mr. Quinn replied that the sewer fund includes funds from both. Supervisor Slater said let's take this to a more basic question: is this in the Peekskill Sewer District or the Hallocks Mill Sewer District? Mr. Quinn said this is in the Peekskill Sewer District.

Councilman Diana said we would be responsible basically from before the tank, from the pump, the whole line and the pump – correct? So now we're still working forward on sewers, possibly that are going to go up on Windmill and so on and so forth; so now is that going to be a new protocol that we're going to have to take on those systems also? Because some of those systems – he thinks there are 17 of them – are going to be pressurized systems.

Councilwoman Roker said the question is are you going to have enough money because now you're doing individual homeowners rather than the homeowner calling in someone and they pay the cost directly to the plumber. Mr. Quinn said he thinks it's in the homeowner's interest to deal with this on their own because if the Town is forced to come in and make these repairs, first of all we add on the 20 percent administrative fee and we're bound to all the rules and regulations the Town has with prevailing wage and everything else, so most owners would have whether it's a heating contractor or a plumber or a roofer and would do that on their own because it's just more cost effective and more under their control.

John Tegeder said he had a couple of questions. He said he is curious in this immediate discussion as to under what circumstances we would be forced to make a repair to a pump that belongs to an individual; he said he doesn't see that happening. He doesn't know how we would be forced. Mr. Quinn asked Mr. Tegeder if he could answer the question because this happened to a property off of Route 6 where we got reported a sewer smell and they went to investigate and they believed or understood the problem was not within the Town right-of-way and it was nothing to do with the Town. They believed it was something originating on someone's private property. The inspector said something to the property owner and the property owner said don't worry, it's not a problem. Mr. Quinn said we don't have rights to do anything more with that owner other than reporting this to the Health Department and we said that's their responsibility to deal with a private owner that may have a sewer leak on their property. The Health Department went to speak to the owner and actually did some dye testing on his property and they ultimately came back and said it wasn't a sewer leak and problem solved. He said if it was a sewer leak and the guy absolutely refused to fix it and it happened to be one of these six lots they're talking about, the Town would then be responsible to go in there and make these repairs. Mr. Tegeder said but if it was a sewer leak in that scenario, it would be his lateral (let's say) or something on his property. So are you saying we can't do an enforcement action to make him fix it? Mr. Quinn said we don't have any rights to go onto someone's private property to make them fix a sewer leak. Mr. Tegeder said we can do an enforcement action to make him correct it, just as we could make an enforcement action if he had a hole in his roof or something and the place was going to be condemned unless he fixed it. There's property maintenance and so forth, is there not? Mr. Quinn said on this property on Route 6 they spoke to the Building Inspector because it was an operating business and we were concerned he may have to issue an order to stop the business while we tried to get this resolved. That's the extent of it; he didn't know how you could mandate that you repair a sewer if it's on private property. He said as far as the Engineering and Sewer Department, they don't have the right to do that but they would certainly work with any resources they could to try to get action.

Councilman Diana said he has the same problems that Mr. Tegeder has at this point. He said we have no right to go on somebody's property, yes – we may have an easement, but if your water main breaks from the house to the curb box, that's the homeowner's responsibility.

He said he understands all of our responsibility in the street, but we shouldn't be responsible for generators and repairing homeowner's pumps, etc. He feels this is a clear-cut case of the County "pushing it down the road."

Supervisor Slater said but if the County isn't going to give us sign-off (he said, for the record, that he doesn't disagree with Councilman Diana, at all) and if the County is giving us a mandate saying

here are your options, we have to figure out which one is best for us. He said he is very concerned about setting a precedent that we're not going to be able to afford to keep.

Mr. Tegeder said he had a couple of more questions. In all the three scenarios, they also have a holding tank – 500 gallons or thereabouts – and so in scenario two which seems to be the way we're looking to go (the one in which they own the pumps and we're their backstop), the backstop means that if we're forced to make a repair, that's part of the backstop. Also, that we have a mobile generator in the case of a power outage, right? (Mr. Quinn said yes.) Mr. Tegeder said so if there's a power outage and it's three days long, we have to go out there for three days in a row and pump out six 500 gallon tanks. Mr. Quinn said the tank isn't one day of storage so if somebody was fully utilizing all of their wastewater at the average rates, then every other day we'd have to swing by there hook up the mobile generator, pump down their system, and then move on to the next one. Mr. Tegeder said we'd have to do the six of those multiple times along the course of the power outage which in the past couple of years we've had some long ones. Mr. Tegeder said going back to where the Supervisor was moving to, maybe this isn't a six-lot subdivision, maybe that's the solution.

Mr. Riina said he didn't know how the number of lots really affects it. Even if it were one or three or six, we're still faced with the same issue. He said he takes this back – if it's one lot, it's totally different because the Health Department's not really getting involved; it's more the Town administering a sewer connection. But any subdivision, whether we're creating multiple lots, the Health Department is going to be involved and they're going to dictate their policy.

Mr. Tegeder said maybe it's three lots and six systems. Mr. Riina said that's the whole issue here – we can't do septic here. He said if they could have done septic, we wouldn't even be having this discussion because we are far enough away from the gravity sewer and we're not in the position where the Health Department can force us to connect to the sewer. Mr. Tegeder said maybe it's three lots and there's less of a burden to the Town; maybe it's one lot and it's no burden to the Town. He said he thinks it is pertinent that the solution to provide the services that are required for the homes, whether it's six or three is pertinent to the lot count. It's what the available infrastructure and what the land will support and it's not supporting it in the correct way.

Mr. Riina said if it wasn't for this latest policy or position that the Health Department is taking, this wouldn't be an issue because we've done this before; we've done this in other towns and it's all of a sudden now we're ... frankly when Mike (Quinn) and I went to meet with them, I don't think we were expecting to be going down this road. Mr. Tegeder said he agreed with that. He said we find ourselves in somewhat of a Twilight Zone here on this but, nevertheless, he thinks it's pertinent to the Planning Board's approval and what goes on this site. He said, not to mention it's not just that, there's also this future farm stand which he's sure will have to be connected to the sewer, as well, because it's going to have to have sanitary facilities.

Mr. Riina said they would like to take the simplest route out of this even if it's the additional cost of the generator, they would take the simplest route out of this. He said they have no expectation of doing anything other than owning and maintaining the system on their own. It's now the Health Department's need to have the Town involved to step in if the homeowner doesn't maintain their system instead of the Health Department stepping in and handling that aspect of it.

Mr. Tegeder said he has trouble understanding when they (the Health Department) do such a thing. He asked, "When is a homeowner not maintaining their sanitary sewer system?" Mr. Riina said exactly; in the past they've done these before and they've never had this come up – they've never had this requirement put on them. Mr. Tegeder said there's people on septic in Yorktown that have failing septic and they're pumping out twice a month and the Health Department isn't sending trucks up there to help them pump them out.

Mr. Riina said he doesn't frankly think this is as much of a burden to the Town as we're making it to be. He thinks the frequency of this happening where the Town's going to have to step in and repair the pump is minimal and very little exposure for the Town because, first of all, they have a duplex pump system so each system has two pumps. Not only does it have one, but it has two. So you've got the life of the system is essentially being doubled because you have two pumps that alternate each cycle, so you're extending the life of the pump. If it's a clog or a backup, that's the homeowner; that's no different if they had a gravity connection and they had a clog or backup – they'd call a plumber to resolve that issue. He said so the only thing left there is what are we doing for backup power which, as he said, whatever is simplest is what they prefer but there

needs to be a mechanism for enforcement and that's what it is – an enforcement mechanism for the Town to come in if the homeowner should not take the responsibility of repairing their system. He said, frankly, he doesn't know how often that would happen or even how that would happen because their sewage system would be inoperable. Their toilets wouldn't be working and they'd be getting backup of sewage flow into their fixtures. He said he doesn't see the Town's exposure being that great here.

Mr. Tegeder said he isn't sure who is enforcing who on what. Mr. Riina said, "really how's anybody going to even know if there's a problem unless it's reported?" He said some homeowner may call and say their sewer is backing up and call the sewer department or the engineering department and the engineering department [would say] you have to get your plumber to take care of that.

Mr. Tegeder said he thinks Mr. Riina needs language of whatever this law is and whatever the enforcement capability is to even move forward on the discussion. Councilwoman Roker said she agreed. Councilman Lachterman suggested putting a disclosure form in anytime the house is sold and make sure all of this is signed off on by the homeowner.

Supervisor Slater asked Mr. Quinn if he had any sense of how many people if we had to outsource this or hire if it's a multi-day power outage; if we have to keep running mobile generators up there if we have another "Riley" and we're out for an extended period of time – how would your department manage that and if not you and we're outsourcing, is there any sense of how many people we'd have to bring in.

Mr. Quinn said he thinks they could pump down all seven – if there were seven of these systems (including the farmstand) that were hooked up that all had to be pumped down, that would be done in a matter of a few hours. If there were an extended power outage, this would have to be pumped down every other day.

Councilwoman Roker said but if you're going to add the 90 in the Hallocks Mill, so we've got the 7 and possibly 90 more. Mr. Quinn said right.

Mr. Riina asked Mr. Quinn if thought in what they discussed with the Health Department, there's a way, for example, for the homeowners association would be required to have a maintenance contract with an outside contractor – did he think he'd see them buying that. Mr. Quinn said a lot of these requirements came in a letter they got in writing from the Health Department in January. He told Mr. Riina it might be something worth exploring. He said they want this codified; they don't want something to change down the road – they want this all set up front. They want this in formal easement language and things like that.

Supervisor Slater said they (the Town Board) were way over and they still had more on the agenda. He said scenario three was off the table because we don't believe the County Health Department is going to allow it. He said it seems, and this is what he'd say or propose to the Board, "are we in agreement that we do not want scenario one where the Town will own and maintain the entire system, including the pump?"

Councilwoman Roker said we don't want to do that. Councilman Diana said no. Supervisor Slater asked if any other board member [would weigh in]. Councilman Patel said the whole thing is that the developer wants to put the burden on the Town to manage the program and he doesn't know if it's good for the Town. Supervisor Slater said he thinks it sets a dangerous precedent – think about Hallocks Mill. It's not just these six or seven; it's an additional hundred that we're setting ourselves up to own and maintain the entire system moving forward. He said he is not comfortable with setting that precedent right now.

Mr. Tegeder asked if he could ask about scenario three again. Supervisor Slater repeated scenario three: either the property owner will be responsible for maintenance and repairs or the homeowners association. Mr. Tegeder said they have to have individual generators.

Mr. Quinn said yes, permanently installed emergency generators. Mr. Tegeder asked the Supervisor why he's backing away from that and the Supervisor said this is not the preferred scenario (and this is the scenario they love) by the Westchester County Health Department. Mr. Tegeder said but this is an available scenario and it is technically feasible. The Supervisor restated that it was not preferred

by the Westchester County Health Department. Mr. Tegeder said “okay, but it’s not preferred by the Town either.”

Councilwoman Roker said the question here is that she would have thought (she directed this to Joe Riina) that a home that comes equipped with a permanent generator would be more attractive to people, particularly up here. Mr. Riina said he would agree. He said if that’s the route for us, that’s the route his client would take. He asked to suggest that he thought now that they have feedback from everybody, that he and Mike Quinn have another call with the Health Department and let them know where we’re going with this and see if they can get any kind of flexibility on their part.

Councilman Diana said if not that way, maybe one central generator owned by the homeowners association who is mandated to maintain on a regular basis that would just run these pumps; that would knock out \$50-\$60,000 worth of generators putting it down to \$10,000 (he guessed; he wasn’t sure) just to run those pumps. Mr. Riina said that’s a possibility. Councilman Diana said that’s something you might throw out there and say it’s a dedicated generator just for sanitary reasons.

Supervisor Slater said we’re at the end of the conversation and he thinks it’s pretty clear that the Board isn’t comfortable with any of the scenarios and so you (Mr. Riina) could take the feedback to the Department of Health – is that a fair request? Mr. Riina said he didn’t think he had any other choice. Mr. Tegeder asked if he could take it to the Planning Board before he did that. Mr. Riina said yes and that he already put in a letter to the Planning Board requesting to be on to discuss it. Mr. Tegeder said he saw that. Supervisor Slater said so Mr. Riina would go back to the Planning Board and back to the County Department of Health and report back to us the results of both. Mr. Quinn said yes.

320 ILLINGTON ROAD

Supervisor Slater said this one should, hopefully, be simple – 320 Illington Road. Supervisor Slater introduced Mike Quinn to the discussion. Mr. Quinn said this is an undeveloped lot and they’re proposing to build a new single-family residence. It’s going to have a detached garage and it’s going to have private water so it’s going to have a water well and septic system; so no Town water and no Town sewer. He said it’s a large house and it’s going to require a lot of earth moving for the foundation and so this is over the 200 cubic yards threshold for a storm water management permit so that makes this a Town Board approval. He said they’ve done some technical reviews with the architect. The plans that were given to the Board are the revised plans they feel are adequate. As far as storm water, they’re putting in some onsite bio-retention basins so the roof leaders and the driveway drains will be directed to some onsite storm water pond. He said the only item he wanted to mention which wasn’t in his technical memo is that this is an application that came in in the last month or two so it is subject to the new tree code. He said Will Bastista has been working with the architect on the tree counts and the current numbers we’re looking at – there are 29 trees that have to be removed for the development. He said that in the tree code if you have to remove trees for a septic system, they don’t count in the final count. As far as the trees that do count towards the tree code, there’s something like just about 400 inches of tree – if it’s a twelve-inch tree, we count the twelve inches. He said he read there are about 338 inches of trees that are being removed. Mr. Quinn said they do plan to put back thirteen trees with the new development and for the remaining amount of trees they don’t happen to plant, they are proposing to pay a fee in lieu of mitigation. The fee that they worked out that they would owe into the tree bank is approximately \$2412.00. That is where we stand with this application right now.

Councilwoman Roker asked Mr. Quinn if he had run this application to the Tree Advisory Board because they work very closely on the new tree code and she wouldn’t want them cut out. Supervisor Slater said this has not been referred yet, other than a preliminary referral to Planning and Conservation but has not been referred to all agencies.

Councilman Patel asked Mr. Quinn how far from Route 134 on Illington Road is this – the middle, or all the way at the end, or where? Mr. Quinn said he has it as 301 Illington – that was the number that was on their application and he said it looks like the architect and the owner are actually on the call here so did you guys want to speak to them? Councilman Patel asked if this was the lawyer or somebody else?

Supervisor Slater asked Russell Seacor (applicant) and Michael Molinelli (architect) if he could give a reference point as to where on Illington this will be and Mr. Molinelli said he didn’t have a distance from Route 134 other than to say it’s far; it’s adjacent to the ... Councilman Patel asked “up by the

school? Is it before the school?" Mr. Molinelli said it's adjacent to the parkway. They are northern neighbor to the school.

Supervisor Slater said very good and thinks they should refer this out to the necessary agencies and asked if there were any other questions from the Board on the application.

Councilman Diana asked if the storm water permit includes the trees at this point or can we issue and go ahead as a Town Board action and issue the storm water permit? Mr. Quinn said it's actually one application so it would be one permit to cover both. Councilman Diana said okay – then we have to refer it out.

REFERRAL OF STORM WATER PERMIT APPLICATION FOR 320 ILLINGTON ROAD RESOLUTION #140

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

RESOLVED, the Town Clerk is authorized to refer to the necessary agencies the Stormwater Permit application made by Russell Seacor for the construction of a single-family home on property located as 320 Illington Road, also known on the Tax Map of the Town of Yorktown as Section 69.11, Block 1, Lot 15.

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

Councilman Lachterman said, just for clarification, he looked it up and it's right before the Yeshiva on the right-hand side coming off Route 134.

Supervisor Slater said we will refer those out and move forward with the application. Supervisor Slater thanked the applicants for their patience and apologized for the delay.

STOCKPILING OF COVID-RELATED SUPPLIES

Supervisor Slater said he had a discussion of this with Councilwoman Roker and other members of the Board. He said as we continue to flatten the curve, we are seeing an abundance of supplies but there's also the concern of a rebound as well as a fall and winter rebound and they believe that it's prudent to be stockpiling masks, gloves, and gowns for our employees and potentially first responders – something they would try to put together a potential MOU with the guidance of our town attorney. He asked if the Board had any comments or thoughts on this.

Councilman Diana said he thought it was a great idea and they should move forward with it and let's get started getting these supplies in because when this first onset came, they were all scrambling to try to get stuff for our first responders and even for our employees.

Councilwoman Roker agreed and Councilman Lachterman said he thought they it would be much better to source them themselves than to go through a middleman; they could these when the price drops and have them for when they're needed.

Supervisor Slater thanked the County – they just delivered a couple of thousand cloth masks in partnership with Hanes. They are reusable cloth masks and the Town has begun disbursing those to our essential businesses that are currently operating. He said they will begin disbursing them to some of our seniors and senior housing residents, as well. He said they are organizing that as he speaks. If there are any small businesses that are currently operating who need masks, they could contact his office directly – (914)962-5722, ext. 200 – or you can just email him directly at mslater@yorktownny.org and they would be happy to coordinate a drop off for them.

Councilwoman Roker said she wanted to remind everybody that the mask is required anytime you're in the public outside or even in the store, so hopefully people are wearing them. Supervisor Slater said if you can't maintain social distancing of six feet, you have to wear them, which is basically anywhere in public, if you're congregating. He said, also as a reminder, even if you're wearing a mask, you have to make socially responsible decisions – it doesn't make you immune to everything.

AGREEMENT WITH TOWN OF SOMERS FOR MEAL PREPARATION RESOLUTION #141

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

RESOLVED that the Town Board authorizes the Town Supervisor to sign an Agreement with the Town of Somers for the Town to prepare approximately 90 meals a day for the Town of Somers at the cost of \$4.50 per meal. The period of this agreement is January 1, 2020 through December 31, 2020.

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

AGREEMENT WITH WESTCHESTER COUNTY FOR TITLE IIIC-2 AND TITLE IIIC-2 RESOLUTION #142

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

RESOLVED that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for Title IIIC-1 in the amount of \$31,266, with an estimate of an additional \$7489 (NSIP) Nutrition Services Incentive Program, and Title IIIC-2 in the amount of \$50,457, with an estimate of an additional \$20,212 (NSIP). This is for the period January 1, 2020 through December 31, 2020.

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

TAX CERTIORARI PROCEEDINGS – STATE LAND CORP. RESOLUTION #143

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 26.17 Block 1 Lot 1, Crompond Road on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 26.17 Block 1 Lot 1 Account Number 0727600, owned by State Land Corp for assessment roll years 2014, 2015, 2016, 2017, 2018 and 2019 are settled as set forth in the proposed stipulation as follows:

Roll Year	Assessed Value From	Assessed Value To	Reduction
2014	87,100	87,100	0
2015	87,100	87,100	0
2016	87,100	65,000	22,100
2017	87,100	57,500	29,600
2018	87,100	57,500	29,600
2019	87,100	57,500	29,600

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

STANDARD WORKDAYS FOR ELECTED AND APPOINTED OFFICIALS RESOLUTION #144

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

Be It Resolved, that the Town of Yorktown, Location Code 30031 hereby establishes the following as standard workdays for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on record of activities maintained and submitted by these officials to the Clerk of this body.

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

BUDGET TRANSFERS TO FUND WORKER’S COMPENSATION RESOLUTION #145

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

Be it resolved that the Town Board authorizes the Budget Transfers listed below to fund Worker's Compensation from January 1, 2019 through December 31, 2019:

From: A.1002 General Fund - Fund Balance
To: A9901.900 General Fund Transfer to Worker's Compensation
Amount: \$77,807.25
From: D.1002 Highway – Fund Balance
To: D9901.900 Highway Transfer to Worker's Compensation
Amount: \$27,697.46
From: SR.1002 Refuse – Fund Balance
To: SR9901.900 Refuse Transfer to Worker's Compensation
Amount: \$1,626.81
From: SW.1002 Water – Fund Balance
To: SW9901.900 Water Transfer to Worker's Compensation
Amount: \$25,517.78
From: YS.1002 Sewer – Fund Balance
To: YS9901.900 Sewer Transfer to Worker's Compensation
Amount: \$28,081.72

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

Supervisor Slater said he understood Councilman Diana had a resolution, as well. Councilman Diana read the following resolution:

AGREEMENT WITH DIVINITY MEDICAL SERVICES FOR COVID-19 ANTIBODY TESTING FOR TOWN EMPLOYEES
RESOLUTION #146

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

RESOLVED, the Supervisor is authorized to execute an agreement with Divinity Medical Services PLLC for the provision of Coronavirus (COVID-19) antibody testing for Town employees in an amount not to exceed \$10,000.

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

Councilman Diana said, in plain language, we (the Town) are going to offer up any Town employee to be tested at the Town of Yorktown.

Supervisor Slater said he abstained from this vote because, in full disclosure, his wife is an employee of this company so he would not be taking a vote and abstaining this action by the Town Board.

Supervisor Slater said this concludes all new business and all business before the Board and would entertain a motion to adjourn.

ADJOURN MEETING

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

Supervisor Slater said be smart, stay focused, and goodnight, Yorktown.

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