

Zoom Video Conference and In Person Meeting of the Town Board, Town of Yorktown held on Tuesday, September 21, 2021 held in Yorktown Heights, New York 10598.

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

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

TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Supervisor Slater, seconded by Councilwoman Roker, the Town Board moved into Executive Session to discuss litigation. Upon motion made by Supervisor Slater, seconded by Councilwoman Roker, 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 if everyone would join him in a moment of silence to remember Gabby Petito and all victims of domestic violence. He also asked to remember our first responders, front liners, doctors and nurses, and the brave men and women serving in our Armed Forces.

INTRODUCTIONS

Supervisor Slater introduced himself and the Town Board members, as well as Town Clerk Diana Quast, and Town Attorney Adam Rodriguez, as well as Councilman Diana participating via Zoom.

DURING REPORTS FROM TOWN SUPERVISOR MATTHEW SLATER

Supervisor Slater began by announcing that fall flushing operations are beginning and notices will be mailed to residents in the various locations.

Supervisor Slater reminded everyone that school tax bills are due September 30. Taxpayers can pay in person, drop payment in dropbox outside of Town Hall, pay online, or by mail.

Supervisor Slater congratulated the J.C. Hart Memorial Library because in August they had the second highest circulation in Westchester County. The library's annual book sale will be held October 15 through 18th.

Supervisor Slater said he was happy to report recent upgrades to Senior Nutrition Center: painting, money allocation for new equipment, new floors.

Supervisor Slater thanked the Parks & Recreation Department for successfully closing the Town's pools and was happy to report that there were no COVID exposures reported at the pools. He also reported that Walden Woods playground repairs are expected to be completed in the month of October.

Supervisor Slater thanked Highway Superintendent Paganelli and the Highway Department for paving the Turkey Mountain access road, as well as the parking lot over at Chelsea, which is off Gomer Street.

Supervisor Slater announced that November 20th will be the second Battle of Yorktown this year headed by the Refuse & Recycling Department.

Supervisor Slater said it was great to see so many Yorktown events come back this year – the 97th Annual Grange Fair, and the Feast of San Gennaro, for example. He congratulated Yorktown Judge Raniolo for being named the Grand Marshall of the San Gennaro Feast.

Supervisor Slater announced that on September 24th from 10:00 to 1:00 p.m. will be the annual Shed the Meds program sponsored by Jefferson Village and Assemblyman Kevin Byrne. Alliance for Safe Kids also sponsors the collection bin at the Yorktown Police Department.

REPORTS FROM TOWN COUNCIL

Councilwoman Alice Roker said that it was nice to see people at the Annual Grange Fair that you have not seen in a long time due to the pandemic. She also mentioned that same weekend was the weekend of 9/11 ceremonies and the event at Granite Knolls, which took place in the evening, was spectacular especially with the use of the high beam lights. She said how grateful she was to be able to attend. Supervisor Slater thanked Mr. Mosher for doing the lights at Granite Knolls that night and John Iorio from Funtime Amusement for helping to set up the screen to view the 9/11 documentary video that Councilwoman Roker helped produce. Councilwoman Roker said she was considering doing another video of her conversation with Jay Kopstein, who was a NYC deputy police chief during 9/11.

Councilman Patel said he has attended the Grange Fair for 39 years and thanked those who made it possible. Councilman Patel spoke about the storm drains that are clogging from an abundance of trash. He asked that garbage be disposed of properly so that it does not affect the flow of water in the storm drains. He also asked people to be patient with the school buses that are now on the road.

Councilman Lachterman said a great job was done on the Grange Fair, the San Gennaro Feast, and the car show and hopes local businesses did well. He announced that tomorrow the Chamber of Commerce is holding a job fair at the AACCCC from 10:00 to 3:00 p.m. and it would be a great opportunity for those seeking employment. All sectors will be represented.

Councilman Diana appeared at the Board Meeting via Zoom. He said that he has made the choice not to wear a mask. He said that other council members said they did not feel comfortable with this, so with respect to them, he will appear via Zoom until the pandemic is over. He congratulated and thanked Councilwoman Roker on the production of the 9/11 video. He said many positive events were held this past week, which he felt were needed after the last eighteen months, i.e., the car show, San Gennaro Feast, the Grange Fair. Councilman Diana also said a resolution was done last year for 10-13, which is the code for Officer Needs Assistance, as well as all first responders. He asked residents, if they can, to display that particular color light and illuminate it (red-fire, blue-police, green-EMS). He said they deserve our respect. Councilman Diana also asked to keep in our prayers Gabby Petito's family, as well as the families of those who died in the Afghanistan bomb blast.

PROCLAMATION - NATIONAL HISPANIC HERITAGE MONTH

WHEREAS, the Town of Yorktown celebrates September as Hispanic Heritage Month; and

WHEREAS, the observance started under President Lyndon B. Johnson in 1968 through the establishment of Hispanic Heritage Week and was later expanded to National Hispanic Heritage Month by President Ronald Reagan; and

WHEREAS, the Hispanic population in New York is the fourth largest in the nation with more than 3.7 million Hispanics calling the Empire State Home; and

WHEREAS, there are more than 200,000 Hispanic members of the Armed Forces serving on active duty and as of 2018, 12.1% of the total number of veterans who have served in operations in Iraq and Afghanistan since the terrorist attacks on September 11, 2001; and

WHEREAS, Hispanic Americans have made incredible strides in the fields of education, medicine, law, the arts, business, and holding public office including 1 seat on the Supreme Court of the United States, 4 seats in the United States Senate and 36 seats in the House of Representatives; and

WHEREAS, Hispanic Americans are deeply committed to family and community and exhibit an incredible work ethic as shown through the many contributions to our Town and society;

NOW, THEREFORE, BE IT RESOLVED, the Town of Yorktown recognizes and celebrates September 15 – October 15 Hispanic Heritage Month.

SUPPORT CONNECTION SUPPORT-A-WALK

Kathy Quinn, Executive Director of Support Connection, came before the Board to announce they are celebrating their 25th Anniversary. Yorktown has been home to their organization for the entire time. She said they are very grateful to the Town government, local elected officials, local businesses, and residents for the support they have given. She also announced the annual Support-A-Walk, which will be held on Sunday, October 3. People will be walking in communities throughout the United States. The gathering will be in FDR Park, but will be a lot smaller than usual due to COVID concerns. More information is posted on their website, supportconnection.org/support-a-walk, as well as any updates. There will be an opening ceremony, followed by a 3 mile walk.

Supervisor Slater thanked Ms. Quinn for all of the work her organization does for those with breast and ovarian cancer.

Members of the Board also thanked Ms. Quinn for calling Yorktown their home.

SICKLE CELL AWARENESS MONTH

Supervisor Slater welcomed Jaqueline Baker, the founder of the Westchester Chapter of Sickle Cell Awareness, who has been before the Board before to raise awareness of sickle cell disease. She has been a tireless advocate for this cause in trying to raise funding and awareness. Ms. Baker opened with a slide presentation explaining the disease, which is an inherited disease that inhibits the flow of oxygen from the red blood cells due to their shape. It is also a disease that causes excruciating pain, organ damage, and possibly death. She reported that less than 200,000 Americans are living with the disease – New York State has the largest population of people living with SCD in the country (approximately 10 to 12 thousand people). She listed the demographics of the population across the globe.

Ms. Baker said someone has to be a carrier and that there are different types of SCD. She explained how sickle cell disease is inherited and the levels of severity of the disease. She has the sickle cell AS, which is the trait, not the disease. If you have the sickle cell SS, which her sons have, you have the disease. Ms. Baker said there is newborn screening, which is so important to have so families are informed immediately if their child has the trait or the disease. She explained the complications from sickle cell disease and the different parts of the body that can be affected. Treatment and care are critical. Treatment methods include blood transfusions, drug treatments, blood and marrow stem cell transplantation, and a new gene therapy.

Ms. Baker said her group offers support (community based, nonprofit) and act as the liaison between the home and the hospital. She said that it is sometimes hard to find doctors who treat sickle cell disease and that community based organizations are the glue that helps keep these families together and on track with treatment. Her organization's focus is to help patients manage their pain and live their lives. They had their first support group this month; the next will be in November. They are collaborating with other organizations across the country and their ultimate goal is to open a treatment center.

Quincy Dallas was introduced to speak about how he is living with sickle cell disease. He said dealing with hospitals and emergency rooms has been very challenging. He now tries to share information and his experience with those also afflicted with sickle cell disease.

Ms. Baker said they are the only support group in Westchester County for sickle cell disease for families.

Councilwoman Roker said they have some medications from the 1980s that are still being used. She wondered since the number of people affected with SCD is limited, is that why there have not been any new medications. Jaqueline said SCD comes with a lot of challenges, as well as stigma. There has only been one medication, Hydroxyurea, for a very long time, but they have now come up with new medications to add to the treatment plan.

Councilwoman Roker said that transfusions replace the blood but even with that, the sickle cells are still there. Ms. Baker said the transfusion only lasts 30 days. She said gene therapy involves removing the sickle cells but it is still in clinical trials and is very risky. Councilwoman Roker thanked Ms. Baker for taking on this challenge.

Councilman Lachterman asked Ms. Baker what types of fundraising she is doing for her group. Ms. Baker said they are not doing any right now but will be planning a walk for next year, as well as other ideas. She will be at the Yorktown Street Fair and other events to do local fundraising. Councilman Lachterman asked Quincy Dallas what types of holistic treatments he has tried. Mr. Dallas said he has tried a plant based diet, chiropractic treatment, physical therapy, yoga, medication. He said he mostly watches his diet. Ms. Baker said one of their board members, who is an art therapist, will also be working with the mental health aspect of suffering from this disease.

Supervisor Slater said a resolution will be forthcoming to show support for the organization and that he is looking forward to seeing them at local Yorktown events.

Councilman Diana said he thought the disease had been wiped out because for years there had been no mention it. Ms. Baker said this is where the stigma comes in and the perception of those who have the disease. He asked if it was easily identifiable and Jaqueline said it is law to have it included in newborn testing, other than that, no.

JCM RACING

Councilman Diana introduced John and Patty Cerbone who are the owners of JCM Racing, one of the first ground-up businesses to come to Yorktown. Councilman Diana said it is an integral part of our community. Mr. Cerbone has received "The Wallie," the drag racing equivalent of the film industry's Oscar award. Councilman Diana participates in drag car racing and said that it is not as well recognized as NASCAR racing. He said their sport is a ¼ mile race of speeds at over 150 miles per hour where you compete against another individual in a similar car.

Mr. Cerbone said he has been doing this for 40 years. He explained the history of his business and the teams he runs. At one time he ran a NASCAR team for thirteen years. He now has four professional drag racing teams. He has built the cars here and transported them all over the country to enter races, which he still does today. Councilman Diana said it is a very dangerous sport and the cars are built from the ground up. He spoke about the frequent fires that can occur. He congratulated John Cerbone on his recent win of "The Wallie."

Councilman Lachterman read a proclamation by the Town Board recognizing Mr. Cerbone's accomplishments.

Mr. Cerbone thanked the Town Board.

APPOINT POLICE OFFICER THOMAS BEYRER AS DETECTIVE IN THE YORKTOWN POLICE DEPARTMENT, AT THE DISCRETION OF THE CHIEF OF POLICE RESOLUTION #370

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

RESOLVED that effective September 20, 2021, Police Officer, Thomas Beyrer, of Yorktown Heights, New York is hereby assigned, at the discretion of the Chief of Police, as Detective in the Yorktown Police Department at an annual salary of \$125,552.00 for such period as determined by the Chief of Police.

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

APPOINT POLICE OFFICER RYAN NOONE AS DETECTIVE IN THE YORKTOWN POLICE DEPARTMENT, AT THE DISCRETION OF THE CHIEF OF POLICE RESOLUTION #371

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

RESOLVED that effective September 20, 2021, Police Officer, Ryan Noone, of Stormville, New York is hereby assigned, at the discretion of the Chief of Police, as Detective in the Yorktown Police Department at an annual salary of \$125,552.00 for such period as determined by the Chief of Police.

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

ACCEPT THE RETIREMENT RECEIVED FROM JOSEPH VENITUCCI FROM THE BUILDING DEPARTMENT
RESOLUTION #372

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

RESOLVED, that the Town Board accepts the retirement of Joseph Venitucci from the Building Department effective September 8, 2021 with thanks for his many years of service to the Town.

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

ACCEPT THE RETIREMENT RECEIVED FROM DONALD GAFFNEY FROM CENTRAL GARAGE
RESOLUTION #373

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

RESOLVED, that the Town Board accepts the retirement of Donald Gaffney from the Central Garage effective January 14, 2022 with thanks for his many years of service to the Town.

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

ACCEPT THE RETIREMENT RECEIVED FROM DETECTIVE JASON SWART FROM THE POLICE DEPARTMENT
RESOLUTION #374

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

RESOLVED, that the Town Board accepts the retirement of Detective Jason Swart from the Police Department effective September 15, 2021 with thanks for his many years of service to the Town.

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

ACCEPT THE RETIREMENT RECEIVED FROM POLICE OFFICER MICHAEL KAHN FROM THE POLICE DEPARTMENT
RESOLUTION #375

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

RESOLVED, that the Town Board accepts the retirement of Police Officer Michael Kahn from the Police Department effective July 28, 2021 with thanks for his many years of service to the Town.

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

POET LAUREATE

John McMullen, Poet Laureate, read his original poem, "9-11 Plus 20."

COURTESY OF THE FLOOR

The following members of the public spoke:

Jenny Sunshine, resident, spoke about affordable housing. She said she had heard that the Town might stop making people wear masks in public places. She believes that they should wear them since we are not out of the woods, particularly with the Delta variant. She said if blood donations would help the sickle cell community.

Ms. Sunshine said she believes in affordable housing that would allow workers and young families to be able to live here. She would like to see elderly parents and grandparents to be able to live in Yorktown. She said when K-mart was still in business she spoke with the cashier who lived in the Bronx but worked in Yorktown. She mentioned a family in her temple who had to move to Dutchess County in order to be able to afford a home. She also mentioned a single mother she

knows who works in Yorktown had to find a condominium to buy in Poughkeepsie because of the prices here.

Maura Gregory, resident, wanted to address the set aside law for affordable housing. She said she is a member of the Housing Committee, but is speaking for herself this evening. She said with everything that has been in the news regarding Westchester County discretionary funds that we may or may not get because of our lack of a set aside law/model ordinance, it seems like now is the time for Yorktown to enact this ordinance. She said several years ago they (the Housing Committee) had sent a model ordinance they had drafted to the Town Board. It was referred out, came back, and no action was taken. Recently the chair of their committee sent another version that was marked up with comments received from the County Planning Board on the first draft. There are now two drafts the Town Board could choose from, either one would be an excellent addition to Yorktown because the need for affordable housing has never been greater, as became evident during the pandemic especially for essential workers who do not earn a lot of money. She said another opportunity for affordable housing is the overlay district legislation – affordable housing should be added to the legislation. Ms. Gregory said the developers will be getting a tremendous density bonus from that legislation and should give something back. She said the Housing Committee would be happy to meet with the Board at any time to discuss this.

Ed asked when the first model ordinance was referred out. Maura said it was before Matt Slater became Town Supervisor. She said the only comments that came back were from the Westchester County Planning Board. Ms. Gregory said the Town needs to have a set aside law because it is so important.

Mike Mattone, resident, asked the Town to adopt the model ordinance for affordable housing so more people can reap the benefits from living in this great community. He feels this will help draw people and businesses to Yorktown in a beneficial way. The model ordinance helps people live in the community where they work.

Ilan Gilbert, resident, thanked Jaqueline and Kathy for the work that they do. He said it is amazing what they do for individuals who have been stricken by illness. He mentioned how Support Connection helped his sister who was diagnosed with Stage 4 cancer.

Dan Strauss, resident, thanked Supervisor Slater and the Board for having hybrid meetings (in person and Zoom). He also thanked them for having another Battle of Yorktown. He spoke about solar farms. He agrees with Councilman Diana about not having solar taking over the Town. Mr. Strauss mentioned the 15 acres of clear cutting that is being proposed for a solar project. He said solar is good in the right place and in the right framework.

Howard Frank, resident, said the town has been putting up with many power failures. He said that some improvements have been made but the Town is being run like a house being run on one outlet. The Town's power comes from two feeders out of the Amawalk power station. There was a substation on Mohansic Avenue, which was the cause of 1,441 homes left without power on September 15th. He spoke about the faults of the power system in Yorktown. He said the 1,441 homes by the Mohansic substation could be split up into separate feeders. Mr. Frank said there are ways to alleviate this problem and suggested reviewing the schematics that show the systems. He said this problem is likely to get worse. He said there was a system that was disconnected by NYSEG that should be reconnected to help alleviate the problem.

Mel Tanzman, resident, spoke about the need for an affordable housing ordinance in Yorktown. As an appointed member of the county's Housing Opportunity Commission, he said he has important information to share with the Board and the residents. He believes Yorktown has mishandled and has failed to be honest with the residents about how our town's receipt of \$10 million of sewer funding is linked to some kind of an affordable housing ordinance here in Yorktown. He said, to be clear, County policy since 2012 regarding discretionary funding includes the following: a recipient-eligible community will actively further the implementation of the settlement agreement through its land use regulations and other affirmative measures to assist the development of affordable housing. Mr. Tanzman asked what regulations or ordinances does Yorktown have in place to advance affordable housing. To his knowledge, since the repeal of the Yorktown Affordable Housing ordinance in 2016, Yorktown has taken no action to promote the development of affordable housing. This makes Yorktown ineligible for discretionary funds such as the sewer funding. He said he has personally shared this information with the Town Board

since at least 2018. He asked if the sewer project has been delayed for over a year because some Yorktown Board Members do not want to have affordable housing. The public, including those anxiously awaiting sewers, have a right to know. Mr. Tanzman said he was told last week by Westchester County Planning Commissioner Norma Drummond that she was scheduled to make a presentation this evening regarding housing and discretionary funding to the Town Board. When he found out on Thursday that she was not on the agenda, he called Commissioner Drummond and she told him she was not informed that she was removed from the agenda. Mr. Tanzman asked if this was an indication of how the Town Board cooperates and has open conversations with our partners at the county level. He asked if Commissioner Drummond's presentation was going to give facts that some people do not want the public to be aware of. Westchester County's Affordable Housing Study reveals how many Yorktowners are financially burdened by housing costs. He said he would share this information at future Board meetings, since his time is limited this evening. Mr. Tanzman asked that people not be swayed by an analysis done by an unqualified individual, as there is considerable information available from reputable researchers.

James Mecca, resident and a veteran, thanked everyone who supports the Jefferson Village Veterans Club. He thanked Supervisor Slater, Councilman Lachterman, and Chamber of Commerce President Sergio Esposito for all their support and for coming to their meetings this past summer. He thanked Mr. Esposito for his donation of lunch and the free flags given to Purple Heart recipients. He said they and their families were very honored.

Paul Moskowitz, resident, spoke about Community Solar. He belongs to Arcadia Farm Solar and presented his last three bills from Con Ed, which were zero. He expects differently in the winter when there is less illumination and bills will be higher. He stated that Granite Knolls, IBM, and the Jefferson Valley Mall are all profitable solar enterprises and encourages developers to use solar energy in future projects. He said that Con Edison is planning to clear cut 15 acres for the Foothills Solar project. Mr. Moskowitz said he supports solar energy but he does not support this project because it is counterproductive. The trees are performing a service by sequestering carbon; they have been doing this for 50 years. If you cut down those trees, you will let loose 50 years of carbon into the atmosphere and it will take years for the solar collectors to catch up. Mr. Moskowitz believes that solar energy should be made a requirement for large-scale development but does not support the Foothill project and thinks it should be stopped.

Sarah Wilson, resident, promoted Yorktown Climate Smart Communities Task Force, as well as Yorktown 100, and the local Sierra Club. The Sierra Club is a national sponsor of National Drive Electric Week, which begins this Saturday and continues through next Sunday, October 3rd. She said that over 200 drive electric events will be taking place next week, coast to coast, and is here tonight to invite everyone to a drive electric car show next Friday, October 1st, between 5:30 and 7:30 p.m. at the Jefferson Valley Mall. You can learn why owning an EV can actually be less expensive than owning a gas-powered vehicle over its useful lifetime. They will be setting up next to the "Tunes & Brews" live music event, sponsored by the Peekskill Brewery and the Jefferson Valley Mall. Ms. Wilson said that, as a member of the Yorktown Community Housing Board, she strongly urges the Town Board to schedule a work session to review the draft set-aside law that was referred out more than 2 years ago and has not been taken up by this Board for review and discussion.

Susan Siegel, resident, said she was a little confused about the meeting tonight regarding "hybrid" – Zoom vs. in person. She asked for confirmation that barring unforeseen circumstances, that the Town would be continuing hybrid meetings and Supervisor Slater said they are taking it week by week for right now. Ms. Siegel said she would like to speak about the \$3.9 million that the Town is expecting to get as part of the American COVID Rescue Act. She feels that residents are entitled to know how the Town Board is planning to spend the money before the Town Board makes those decisions in Executive Session. She said she is sure that many residents would like the opportunity to provide input on how those unexpected funds could be used. She said the interim regulations for those funds have now been published; municipalities can spend money under interim rule. Ms. Siegel said she would like the Board to consider using some of the money to upgrade park infrastructure – parks and trails. She would like to see, as a member of Yorktown Trailtown, paving of the access road on Stony Street to Sylvan Glen. Ms. Siegel thanked Highway Superintendent Paganelli for paving the entrance to Turkey Mountain. She reminded everyone that the trails bring visitors to Town and visitors bring money. He said that Mickey Rivers attended.

Sergio Esposito, President of the Chamber of Commerce, mentioned completing their Cops Vs. Kids fundraiser for Camp Sunshine, at which former baseball player Mickey Rivers participated. Mr. Esposito announced a commercial roundtable event the Chamber and the Town is sponsoring to speak and share ideas and needs with business owners. He also announced upcoming events, i.e., the job fair, the Street Fair on October 10th from 11-5:00 p.m. He mentioned that Jacqueline Baker from the Sickle Cell Support Center will have a booth at the street fair, as well as having a senior lunch, music all day, a beer garden, and many vendors.

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

Councilman Lachterman said that the CDC recommends you wear a mask inside and always if you are not vaccinated. He talked about children now being able to be vaccinated, which is great news. He said Mickey Rivers was amazing at the event; he did some coaching, instruction, etc. He stayed well beyond his contracted time. Councilman Lachterman said Camp Sunshine takes children who have life threatening illnesses and gives families a chance to get away for a week in Maine.

Councilman Diana thanked Mr. Strauss and Mr. Moskowitz for acknowledging the solar panel projects that are possibly being proposed. He stated he is not a fan of ground arrays. It's great to see your electric bills reduced, but that is with roof mounted systems. Ground arrays need to be taken on a case by case basis.

Councilwoman Roker said she looks forward to having Norma Drummond visit. She thinks affordable housing is particularly important with the proposed overlay legislation. Developers get bonuses in that law and we need to consider affordable housing within that law. She said she does not know if we will get money if we have a model ordinance.

Councilman Patel commented on people not disposing of masks properly, as well as empty hand sanitizer bottles being littered. He believes masks help to keep our community safe. He said the issue of the adoption of an affordable housing law and funding needs to be discussed.

Supervisor Slater addressed Howard Frank and his idea regarding approaching NYSEG. He said they have been in touch with NYSEG and they are trying to escalate the proposal and as soon as he gets more information from them, then he can have the conversation with the Town's regional representatives about feasibility. He spoke about the power outage last week being caused by a raccoon. There was a subsequent power outage because the substation was overloaded. He said there was a conversation with the Comptroller last week about the American Rescue Act and there are still questions. The State Comptroller's office is going to get the answers for our Comptroller. He said, on a broad basis, the money can be used for infrastructure, water line repairs, etc. and they are doing some brainstorming on what the money can be used for. Supervisor Slater said that Ms. Drummond was never invited to tonight's meeting. He said that Ms. Drummond was originally going to appear at last week's work session; however, after the subsequent media frenzy that ensued, the Board agreed with the County that it was better for them to first have a conversation themselves to better understand the parameters and the path forward. He said then they of course would welcome Ms. Drummond to Yorktown to present the housing needs assessment, census data, etc. He said he is confident that Yorktown will have access to the \$10 million. Supervisor Slater said they have been in constant communication with the County's Planning Department, the Board of Legislators, and the County Executive and are working diligently to come to a solution so that they may have a conversation in the open. Supervisor Slater asked that they be allowed to do their jobs – they are all trying to do the right thing, they all want to get access to the dollars, and they recognize the challenges. They are trying to communicate directly with each other and they are not going to do it through the press. He said the County Executive and he released a joint statement to that end because they recognize the sensitivities of the conversation if it takes place in public and especially in the press. Supervisor Slater said they are working diligently and cooperatively because they recognize the importance of the \$10 million for Yorktown and to make sure they are in compliance for those dollars and other dollars. He said that he appreciates the advocacy of residents but, at the same time, let the Board get down to the facts appropriately and cooperatively with our partners in government.

Councilman Patel also mentioned food donations in the supermarkets who provide food for our local food pantries, veterans' organizations, etc., and said many do a matching program. He asked that residents consider this when they are food shopping.

Councilman Lachterman said Shop Rite is one of the supermarkets doing this and some of our local organizations are recipients of this program.

CON EDISON PROJECT UPDATE

Luigi Vingo, Con Edison, said he was present to talk about a selected underground project in Yorktown. He said a portion of this project will go through the wetlands buffer and they are applying for a wetlands permit. He said they have the permits for the regular permits approved and would like to start the work on Monday, if the Board agrees. Mr. Vingo introduced the project team: Dareo McKenzie, Christina Halkett, John Teixeira (Construction), Carlos Morillo (Engineering), Robert Hennig, and Chris Cotroneo.

Carlos Morillo, Engineer – Con Edison Bronx/Westchester Engineering, shared a presentation of the proposed project: Con Edison Underground Storm Resiliency Pilot. The agenda of the presentation was to 1) introduce the team, 2) electric system overview, 3) underground storm resiliency pilot, and 3) timeline and impact.

Mr. Morillo introduced the project team, as stated above.

Electric System Overview: The overhead distribution system, especially in the Town of Yorktown, gets devastated as storms continue to get worse. There are programs that tell them where these outages occur, even down to the individual customer, due to the new AMI meters that have been installed over the last couple of years. This allows Con Ed to perform many storm hardening efforts where they try to strengthen the overhead distribution system (bigger poles, bigger wires), especially in high-density tree areas. In areas where they cannot perform storm hardening efforts, they try to look for a new avenue, which is called selective undergrounding. The area they are trying to underground starts at Strawberry Road where there is a 4,000 voltage line. The spur goes up Foothill, turns on Lockwood, to Casey Court, to Emma Lane. There is a fuse at the start of the line to protect different parts of the line from losing power if one section is down; similar to a circuit breaker. In this particular area this fuse has operated 14 times since 2009; 7 of which were due to a downed tree. Since Hurricanes Riley/Quinn, and Isaias, this area has experienced many outages; a total of 244 hours for both storms combined. The total spur length is 2,200 feet for Lockwood and Foothill. There are some underground customers but there are 9 overhead services along Foothill that they would like to convert from an overhead to underground feed, as this is a heavily treed area.

Underground Storm Resiliency Pilot: Mr. Morillo explained how the overhead service is currently fed. The primary wire is on top of the pole, which feeds a transformer. The service wire comes off the transformer and goes to the house. There are two options they can work with – a pad mount transformer that sits on a fiberglass or concrete pad and the wires are all underground. The pad mount transformer would get its electricity from the primary wires from the street and go into the house meter. Mr. Morillo displayed photos of what the pad mounts look like in neighborhoods. He said each transformer would piggyback off each other and share a common trench on Foothill Street. He continued to show the locations and the path the transformers would take in the proposed neighborhoods.

Councilman Diana said he liked the idea but the placement of the transformers so close to the road and the narrowness of the road may yield to accidents, especially in the winter when snowplows are out. He asked if there were alternate places they could be installed or bollards could be put around them. Mr. Morillo said that they usually install two bollards on both sides. Councilman Diana said there were issues at the town-end of Curry Street. He asked if what was shown were just approximate locations and Mr. Morillo said yes, the display was just to show an example. John Teixeira said they would definitely have bollards installed at each transformer location. He also suggested that markers could also be placed higher than the bollards to show that there is something in that location in the event of heavy snow. He said that the images shown are somewhat enlarged. He said that Councilman Diana made a good point and they are able to work with whatever is needed to provide that safety.

Project Timeline: Mr. Teixeira said they have already secured a contractor and have been in contact with Yorktown regarding street opening permits. He said they would not be on site without the Town's knowledge. They plan to start construction, hopefully, on Monday and complete the project in February. Restoration work would be done in the spring of next year.

Supervisor Slater said part of the street opening permit includes curb-to-curb paving, as well as the staging area Con Ed will need for their equipment.

Mr. Vingo said that they have coordinated with the school in the area to rearrange the bus line while they are doing the work. The communication to the area residents regarding impacts of construction will be sent out with the particulars, location, lane impacts, hours of work, etc.

Dan Ciarcia, Town Engineer, followed up on Councilman Diana's comment about the Town's right-of-way in the area. He said it is somewhat irregular in that location, but he said he was pleased to see that they received a survey of the property, which gives them a clear picture. He said the buffer work is limited; most of the work is within the pavement. He said the thinking is to allow them to get started on the portion of the project that is outside of the wetland buffer and then work through the wetland permit process. He said they are right on the threshold of what can be done as an administrative permit versus what is put before the Town Board. Given that it is so close, he felt it was prudent to make it a Town Board action, as well as an opportunity to make everybody aware of what is going on.

Supervisor Slater asked if the area of disturbance is known at this point and Mr. Ciarcia said it is a cubic yard basis and in the wetlands buffer the project is hovering at about 300 cubic yards. The wetlands in the back is a DEC wetlands and Con Edison has correspondence from them saying they will review the application.

Councilman Patel suggested this presentation be placed on the Town's website. Supervisor Slater agreed.

Mr. Ciarcia said Con Ed has advanced in getting their permits from the Highway Department. He said they have portions of the projects outside of the buffer that they can work on while the Town Board proceeds with the process of obtaining a wetlands permit.

REFERRAL – WETLANDS AND SWPPP PERMIT APPLICATION SUBMITTED BY CON EDISON FOR UNDERGROUND CABLE INSTALLATION ON FOOTHILL STREET
RESOLUTION #376

Upon motion made by Supervisor Slater, seconded by Councilman Diana,

RESOLVED, the Town Clerk is authorized to refer to the appropriate agencies an application for a Stormwater Pollution Prevention Plan Permit and Wetland Permit submitted by Con Edison to bury 465 feet of electric cable and to add a pad-mounted utility box within the wetland buffer on the eastern side of Foothill Street in Yorktown Heights.

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

Supervisor Slater asked the Board if there were any objections to allowing Con Edison to begin work that is not located in the wetland buffer and no one objected.

Mr. Vingo thanked the Board and said if there are any questions, to please contact him. He said they have been through this many times with gas projects in Yorktown and have learned a lot of lessons that they can apply to this electric project.

Supervisor Slater asked if is any other pilot program like this going on in Westchester County and Mr. Vingo said no, this is the first one in Westchester County.

AUTHORIZE SUPERVISOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT
WITH THE SUPERIOR OFFICERS ASSOCIATION
RESOLUTION #377

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

RESOLVED, the Supervisor is authorized to execute a collective bargaining agreement for the period from January 1, 2022 through December 31, 2024 with SOA (Superior Officers Association).

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

AUTHORIZE SUPERVISOR TO SIGN A JUSTICE COURT ASSISTANCE PROGRAM (JCAP) GRANT APPLICATION

RESOLUTION #378

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

RESOLVED, that the Town Board of the Town of Yorktown authorizes the Town Supervisor to sign the Justice Court Assistance Program (JCAP) Grant application in the 2021-2022 grant cycle; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Yorktown authorizes the Yorktown Justice Court to apply for a JCAP Grant in the 2021-2022 grant cycle up to \$30,000.00.

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

AUTHORIZE COMPTROLLER TO PAY JOSEPH VENITUCCI THE CASH VALUE OF UNUSED TIME AS OF HIS DATE OF RETIREMENT

RESOLUTION #379

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

BE IT RESOLVED, that the Town Board hereby authorizes the Town Comptroller to pay Joseph Venitucci the cash value of unused time as of his date of retirement:

Rate of Pay:	\$53.1434	
Sick	430.00 hours @ 50%	= 215.00 hours
	215.00 hours x \$53.1434	= \$ 11,425.83
Vacation	332.50 hours x \$53.1434	= \$ 17,670.18
Personal	21.00 hours x \$53.1434	= \$ 1,116.01
Floating Holiday	14.00 hours x \$53.1434	= \$ 744.00
Comp Time	77.37 hours x \$53.1434	= \$ 4,111.70
Longevity	\$1,100 / 261 days = \$4.21 per day	
	02/19/21-09/07/21 = 142 days	
	142 days x \$4.21 = \$597.82	
Total		\$35,665.54

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

From:	A909.8 General Fund Reserve Employee Accrued Benefits	\$20,297.98
	A3620.101 Building Salary	\$14,769.74
	A3620.106 Building Longevity	\$ 597.82
To:	T905.1 Medical, Dental, Vision Premium Trust	\$11,425.83
	A3620.108 Building Lump Sum Payments	\$24,239.71

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

AUTHORIZE COMPTROLLER TO PROCESS A BUDGET TRANSFER FOR 9/11 20TH ANNIVERSARY CEREMONIES/MURAL

RESOLUTION #380

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

RESOLVED, the Comptroller is hereby authorized to process the following budget transfer:

From: A1990.499.1 General Fund – Capital Contingency	\$16,601.00
To: A.1010.479 Special Projects	\$16,601.00

for expenses associated with the 9/11 20th anniversary ceremonies/mural.

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

AUTHORIZE YORKTOWN WATER DISTRICT TO PURCHASE TWO FORD F350 SUPER CAB PICKUPS AS SPECIFIED IN THE WESTCHESTER COUNTY CONTRACT # RFB-WC-21176

RESOLUTION #381

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

WHEREAS, it is the intention of the Distribution Superintendent to purchase two 2022 Ford F350 Super Cab Pickups; and

WHEREAS, monies have been allocated in the 2021 Water Department budget line SW.8340.0201.0002 (Equipment/Vehicle); and

WHEREAS, the 2022 Ford F350 Super Cab Pickups are listed as part of the Westchester County Contract # RFB-WC-21176 for Pickup Trucks; and

WHEREAS, Hempstead Ford located in Hempstead NY has been awarded this bid for Ford Pickup Trucks; and

THEREFORE, BE IT RESOLVED, the Town Board authorizes the Yorktown Water District to purchase two Ford F350 Super Cab Pickups as specified in the Westchester County Contract # RFB-WC-21176 for a total amount of \$92,536.00 (\$79,136.00 charged to Water and \$13,400 for plows charged to Highway).

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

AUTHORIZE COMPTROLLER TO PROCESS A BUDGET TRANSFER FOR THE PURCHASE THE PURCHASE OF A TORO GROUNDMASTER 5910 MOWER

RESOLUTION #382

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

RESOLVED, that the Comptroller is authorized to process the following Budget Transfer for the Parks Department:

From: A1990.499.1 General Fund – Capital Contingency	\$138,556.47
To: A.7110.201 Parks – Equipment	\$138,556.47

for the purchase of a Toro Groundmaster 5910 Mower from Turf Products under New York State Contract #062117-TTC pricing.

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

AUTHORIZE COMPTROLLER TO PROCESS A BUDGET TRANSFER REGARDING WORKER’S COMPENSATION

RESOLUTION #383

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

BE IT RESOLVED, that the Town Board authorizes the following budget transfer to fund a Worker’s Compensation scheduled loss of use payment / Notice of Decision:

From: A.1002 General Fund - Fund Balance	\$100,240.61
To: MC.1930.402 Worker’s Comp Indemnity Payments	\$100,240.61

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

AUTHORIZE AN EMPLOYEE OF THE POLICE DEPARTMENT TO ATTEND AN
OVERNIGHT CONFERENCE FOR EDUCATIONAL PURPOSES
RESOLUTION #384

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

RESOLVED, a police department employee is hereby approved to attend an overnight conference for continuing education purposes.

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

AUTHORIZE TOWN TO CIRCULATE A REQUEST FOR PROPOSALS FOR SOLAR
PHOTOVOLTAIC AND OTHER ENERGY SYSTEMS ON TOWN PROPERTY
RESOLUTION #385

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

RESOLVED, the Town is authorized to circulate a request for proposals for solar photovoltaic (PV) and other energy systems on Town property.

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

AUTHORIZE SUPERVISOR TO EXERCISE THE OPTION TO EXTEND THE CONTRACT
WITH AAA CARTING, INC., FOR THE COLLECTION AND DISPOSAL OF RESIDENTIAL
REFUSE & RECYCLABLE MATERIALS
RESOLUTION #386

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

BE IT RESOLVED, that the Town Board authorizes the Supervisor to exercise the option to extend the contract with AAA Carting, Inc., for the Collection and Disposal of Residential Refuse & Recyclable Materials, for a one-year period from January 1 to December 31, 2022. The one (1) year extension shall be for the same term and conditions that are contained in the Contract at the time said option is exercised.

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

ACCEPT EROSION CONTROL BOND FOR WETLAND, TREE & STORMWATER PERMIT
#T-WP-FSWPPP – 041-21/APOLLONIO
RESOLUTION #387

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

WHEREAS, Giovanbatistta & Lauren Apollonio as applicants, posted check #167 in the amount of \$1,500 which was deposited to the T33 account on September 17, 2021, to serve as the Erosion Control Bond for Wetland, Tree & Stormwater Permit #T-WP-FSWPPP- 041-21, and,

WHEREAS, Giovanbatistta & Lauren Apollonio as applicants, posted check #166 in the amount of \$1,000 which was deposited to the T33 account on September 17, 2021, to serve as the Inspection Fees for permit #T-WP-FSWPPP- 041-21, NOW, THEREFORE BE IT

RESOLVED, the above referenced checks are hereby accepted to serve as the required bond & fee for the above referenced permit.

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

APPOINTMENT OF JACOB G. TUSSEL TO LABORER – POLICE DEPARTMENT
RESOLUTION #388

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

BE IT RESOLVED, that Jacob G. Tussel of Cortlandt Manor, NY, is hereby appointed to the civil service title, Laborer, job class code 0425-05, to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$45,258.00 annually with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement,

BE IT RESOLVED, contingent upon successful completion of a drug test,

BE IT RESOLVED, that Jacob G. Tussel will report to work at the Police Department on September 22, 2021 and this date will be used as the first date of appointment;

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on September 22, 2021.

APPOINTMENT OF DANIEL MORAN TO MAINTENANCE WORKER – SEWER DEPARTMENT RESOLUTION #389

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

BE IT RESOLVED, that Daniel Moran, is hereby appointed to the civil service title, Maintenance Worker (Mechanical), job class code 0443-02, within the Sewer Department, effective September 27, 2021, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A, Group 12, Step 5 which is \$74,648.0000 annually,

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of no more than 12 weeks, commencing on the first date of appointment on September 27, 2021.

ADJOURN

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

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