

Zoom Video Conference Meeting of the Town Board, Town of Yorktown held on Tuesday, January 18, 2022 held in Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor  
Thomas P. Diana, Councilman  
Sergio Esposito, Councilman  
Luciana Haughwout, Councilwoman  
Edward Lachterman, Councilman

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 Councilman Diana, the Town Board moved into Executive Session to conduct interviews for the Board of Ethics, the employment of a particular person, and litigation. Upon motion made by Councilman Diana, seconded by Councilman Lachterman, the Town Board moved out of Executive Session and proceeded with the meeting.

#### PLEDGE OF ALLEGIANCE

Councilman Diana led the Pledge of Allegiance.

#### MOMENT OF SILENCE

Supervisor Slater asked for a moment of silence to remember the life and legacy of Dr. Martin Luther King Jr. whose life we celebrated yesterday here in the Town of Yorktown in several ways. Supervisor Slater asked for the courage to continue his work and the character to persevere against all injustices in the world. Thank you.

#### INTRODUCTIONS

Supervisor Slater introduced the members of the Town Board, as well as Town Clerk Diana Quast, and Town Attorney Adam Rodriguez.

#### REPORT FROM THE TOWN SUPERVISOR

Supervisor Slater reported on recent Town events and updates, including the following:

- COVID update
- COVID Testing site at Granite Knolls
- Booster Vaccine clinics
- Library Wi-Fi Hotspot Program
- NYS DOT request for pedestrian crosswalk at Downing Drive/Route 118 denied; however they agreed to trail crossing signs in both direction of Route 118.
- Martin Luther King, Jr. Day events
- Thank you to Highway Department for work during recent storm.
- Recognition of Town retirements

#### REPORTS FROM TOWN COUNCIL

Members of the Town Council reported on recent Town events and public service announcements.

#### PROCLAMATION - OBSERVANCE OF MARTIN LUTHER KING, JR. DAY

##### RESOLUTION #32

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

WHEREAS, Dr. Martin Luther King, Jr. devoted his life to strengthening the American character and called on our nation to live to up its foundational principles of equality, freedom, and justice; and

WHEREAS, through his determination, spirit, and resolve, Dr. King led several iconic and nonviolent movements in the name of equality, freedom, and justice; and

WHEREAS, Dr. King often emphasized the importance of service which inspired this year's first annual Yorktown Youth Keeping the Dream Event hosted by the Alliance for Safe Kids; and

WHEREAS, the Yorktown Interfaith Council and the Town of Yorktown honored Dr. King's legacy of community action by hosting its second annual Day of Service Ceremony; and

WHEREAS, the Town of Yorktown Town Board finds it is fit and proper to acknowledge and celebrate the legacy of this great American and remember the ideals for which he fought;

NOW, THEREFORE, BE IT RESOLVED, that the Yorktown Town Board pauses in its deliberations to honor and remember the life and teachings of Dr. Martin Luther King Jr.; and

BE IT FURTHER RESOLVED, that the Yorktown Town Board encourages all residents of the Town to perform acts of kindness and service to others in the name of Dr. King.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

#### JOHN C. HART MEMORIAL LIBRARY PRESENTATION

Yvonne Cech, Library Director, gave a presentation on the John C. Hart Memorial Library and an update of its services and programs.

Ms. Cech said there are four benchmarks of a library: the collection, programs, professional service (for reference), and service spaces. Yorktown is the fifth largest library service area based on population in Westchester County, serving approximately 47,000 patrons.

Ms. Cech said the library is about to launch its "hot spot lending program" on January 28, which is a program to lend mobile Wi-Fi units; patrons may check out Wi-Fi devices in order to have portable Wi-Fi. She said they are starting off with five units and will consider increasing that amount depending upon the popularity of the program.

Ms. Cech said they are working on increasing the space for their programs. Adding to their space issue is the pandemic requirement to keep distance among patrons, resulting in the Community Room being the only space that is suitable. They are moving some staff around in order to repurpose offices to increase program space.

Ms. Cech said they have also taken advantage of the New York State Construction Matching Grant to have the building rewired to update the standard wiring to increase their bandwidth and extend Wi-Fi service out into the parking lots. She said there are implementing new programs focusing on early literacy.

Goals for 2022 include bringing electric vehicle charging stations to the parking areas, increasing programs, and becoming a passport acceptance facility.

Ms. Cech spoke about how the use of libraries has changed and what is needed in modern libraries. She that one thing that is most requested is private study space – especially for those studying or working remotely. Dedicated team space is needed for students working on projects afterschool who need a private space to work together. She said she would like to update the adult reading space. Ms. Cech said right now the library is one big room and they get complaints of noise. She would also like to add technology exploration space. Ms. Cech showed renderings of potential private study spaces that are being used in other libraries.

Ms. Cech spoke about rooms provided for making projects that provide equipment (sewing machines, printers, dye-cut machines). Supervisor Slater mentioned 3D printers and Ms. Cech said there are many grants available for this type of equipment.

Supervisor Slater asked Ms. Cech if she had put together any cost estimates to create additional spaces and she said she did not at this time but is asking architects to come in and give her estimates.

Supervisor Slater thanked Ms. Cech for her presentation and vision for the future of the John C. Hart Memorial Library.

POET LAUREATE

John McMullen, Poet Laureate, read his original poem, “The Phoenix Rising from the Dust.”

REAPPOINT WILLIAM LASCALA TO THE PLANNING BOARD

RESOLUTION #33

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

Resolved, that William LaScala is hereby reappointed as member of the Planning Board for a five-year term expiring on December 31, 2026.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

ACCEPT RETIREMENT RECEIVED FROM ANITA HECKER FROM THE PARKS AND RECREATION DEPARTMENT

RESOLUTION #34

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

Resolved, that the Town Board accepts the retirement received from Anita Hecker from the Parks and Recreation Department with thanks for her many years of service to the town effective January 29, 2022.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

COURTESY OF THE FLOOR

The following members of the public spoke:

- Susan Siegel, resident, asked for an update on the status of the Water Meter project.
- Jennie Sunshine, resident, spoke about the Overlay Zone of Underhill/Route 118 corridor and the traffic issues that may result of proposed developments in that area.
- Mel Tanzman, resident, commended the Town and various organizations who recognized the contributions of Dr. Martin Luther King, Jr. Mr. Tanzman spoke of his legacy. He also spoke of the need of affordable housing in Yorktown.

Upon motion made by Councilman Diana, seconded by Councilman Lachterman, Courtesy of the Floor was closed. Members of the Town Board addressed issues raised by residents during Courtesy of the Floor.

AWARD BID FOR FORMATTING AND DELIVERING THE 2022 PARKS AND RECREATION BROCHURES

RESOLUTION #35

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

WHEREAS, bids were received on Tuesday January 11<sup>th</sup>, 2022 for formatting, printing, and delivering the 2022 Parks & Recreation Brochures as specified by the Town of Yorktown’s Parks and Recreation Department. Bids were Submitted by the following Bidders:

1. Graphic Image Inc.  
561 Boston Post Rd.  
Milford, Ct. 06460

Bid per brochure:	\$ 8,066.00
Option 1 (cover design):	\$ 200.00
Option 2 (cost to add 1 Sheet):	\$ 539.00
Total cost per year (x2)	\$16,532.00

2. Chase Press  
31 Peeks Lane, Ste. 3  
Newtown, Ct., 06470

Bid per brochure:	\$ 6,292.00
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Option 1 (cover design):	\$ 75.00
Option 2 (cost to add 1 Sheet):	\$ 1,222.00
Total cost per year (x2)	\$12,734.00

3. Premium Productions, Inc  
6 Lincoln Ave.,  
Pleasantville, NY 10570

Bid per brochure:	\$10,346.00
Option 1 (cover design):	\$ 995.00
Option 2 (cost to add 1 Sheet):	\$ 770.00
Total cost per year (x2)	\$22,492.00

Resolved, that the lowest bidder including Cover Design & Layout, Chase Press, is awarded the 2022 Program Brochure Bid.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR GRIT & SCREENINGS REMOVAL FOR THE WATER POLLUTION CONTROL PLANT  
RESOLUTION #36

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

Resolved, that the Town Clerk is authorized to advertise a bid for the Grit & Screenings Removal for the Water Pollution Control Plant.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR MEMBRANE FILTRATION MODULE REPLACEMENT FOR THE WATER POLLUTION CONTROL PLANT  
RESOLUTION #37

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

Resolved, that the Town Clerk is authorized to advertise bid for Membrane Filtration Module Replacement for the Water Pollution Control Plant.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR THE SLUDGE & GREASE REMOVAL AT THE YORKTOWN HEIGHTS WATER POLLUTION CONTROL PLANT  
RESOLUTION #38

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

Resolved, that the Town Clerk is authorized to advertise bid for the Sludge & Grease Removal at the Yorktown Heights Water Pollution Control Plant.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR VARIOUS CHEMICALS FOR THE YORKTOWN HEIGHTS WATER POLLUTION CONTROL PLANT  
RESOLUTION #39

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

Resolved, that the Town Clerk is authorized to advertise bid for Various Chemicals for the Yorktown Heights Water Pollution Control Plant.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR THE PURCHASE OF FENCING FOR GRANITE KNOLLS INCLUSIVE PLAYGROUND AREA  
RESOLUTION #40

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

Resolved, that the Town Clerk is authorized to advertise bid for the Purchase of Fencing for Granite Knolls Inclusive Playground Area.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE A REQUEST FOR PROPOSALS FOR OPERATION OF FOOD AND CONCESSION AT THE JUNIOR LAKE POOL AND BRIAN J. SLAVIN AQUATIC FACILITY  
RESOLUTION #41

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

Resolved, that the Town Clerk is authorized to advertise a Request for Proposals for Operation of Food and Concession at the Junior Lake Pool and Brian J. Slavin Aquatic Facility.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE TOWN CLERK TO REFER OUT AND SET A PUBLIC HEARING DATE FOR FEBRUARY 22, 2022 TO CONSIDER A PROPOSED LOCAL LAW AMENDING CHAPTER 300-81.4 OF THE CODE OF THE TOWN OF YORKTOWN ENTITLED "ZONING: REGARDING SOLAR ENERGY  
RESOLUTION #42

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

Resolved, that the Town Clerk is authorized to refer out and set a public hearing date for February 22, 2022 to consider a proposed Local Law to amend Chapter 300, Section 300-81.4 of the Code of the Town of Yorktown entitled "Zoning" regarding Solar Energy.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE BUILDING INSPECTOR TO ISSUE TEMPORARY PERMITS FOR THE OPERATION OF SIDEWALK CAFES OR OUTDOOR DINING AREAS IN NON-RESIDENTIAL ZONING DISTRICTS, REGARDLESS OF THE QUANTITY OF SEATING  
RESOLUTION #43

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

RESOLVED, the Building Inspector is authorized to issue temporary permits for the operation of sidewalk cafes or outdoor dining areas in non-residential zoning districts, regardless of the quantity of seating; the temporary permits shall be upon the terms and conditions set forth in Town Code § 300-80(C), except that the fees referenced in § 300-80(C)(12) shall not be required for such temporary permits; the Building Inspector is also authorized to issue temporary structure (e.g., tents) permits in connection with any permits issued under § 300-80(D)(1), and there shall be no fees required for the issuance of any such temporary structure permits; the temporary permits and temporary structure permits issued hereunder shall expire on January 1, 2022; the authority of the Building Inspector to issue temporary permits hereunder shall terminate on January 1, 2023.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE COMPTROLLER TO RELEASE RETAINAGE TO MONTESANO BROS INC. ON THE GRANITE KNOLLS SPORTS COMPLEX CONTRACT  
RESOLUTION #44

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

RESOLVED, the Comptroller is authorized to release retainage to Montesano Bros Inc. for the Granite Knolls Sports Complex contract in the amount of \$38,946.96.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE LIBRARY DIRECTOR TO EXECUTE AN AGREEMENT WITH AUTOMATED CONTROL LOGIC, FOR ON-CALL MONITORING OF THE LIBRARY'S MISSION-CRITICAL EQUIPMENT

RESOLUTION #45

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

Resolved, that the Library Director is authorized to execute an agreement with Automated Control Logic, for on-call monitoring of the Library's mission-critical equipment, in an amount not to exceed \$4,000. The term of the contract will be retroactive from January 2022 through January 2023.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE THE ASSESSOR TO GRANT EXEMPTIONS ON THE 2022 ASSESSMENT ROLL TO ALL PROPERTY OWNERS WHO RECEIVED SUCH EXEMPTIONS ON THE 2021 ASSESSMENT ROLL

RESOLUTION #46

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

WHEREAS, on December 26, 2021, Governor Kathy Hochul issued Executive Order No. 11, declaring a State disaster emergency for the entire State of New York due to the COVID-19 pandemic; and

WHEREAS, this State disaster emergency has resulted in limited hours in municipal offices in the Town of Yorktown and rendered senior citizens and individuals with disabilities residing in Yorktown homebound. These factors combined have made it difficult, if not impossible, for many in these populations to file their real property tax exemption applications in person and many, further, lack the ability to file such applications online; and

WHEREAS, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor's Executive Order modifies subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, the effect which permits the governing body of an assessing unit (i.e., the Town Board of the Town of Yorktown to adopt a Resolution directing the Assessor to grant exemptions on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

WHEREAS, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if she has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner or died; and

WHEREAS, pursuant to said Executive Order, the Town Board of the Town of Yorktown wishes to adopt such Resolution directing the Town Assessor of the Town of Yorktown to grant exemptions on the 2022 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of Yorktown the authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

NOW THEREFORE, BE IT RESOLVED, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of Yorktown hereby directs the Town Assessor of the Town of Yorktown to:

1. Grant exemptions on the 2022 assessment roll to all individuals who received the senior exemption on the 2021 assessment roll and all individuals who received the exemption on the 2021 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing with the need for any such individuals to file renewal applications for such exemptions, except that;

2. The Town Assessor may, in her sole discretion, require a renewal application to be timely filed with her office if she has reason to believe that any such individual, who qualified for the aforementioned exemption on the 2021 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor requires such renewal application be filed, she shall notify the owner of the subject property of such requirement by regular mail, with such notice shall contain instructions on how to file the renewal application. Said renewal application may be returned by mail or by making an appointment to drop same off at the Town Assessor's office.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

RENEW SANI-PRO DISPOSAL SERVICES CORP. D/B/A SUBURBAN CARTING  
COMMERCIAL GARBAGE LICENSES FOR 2022  
RESOLUTION #47

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

RESOLVED, that Sani-Pro Disposal Services Corp. d/b/a Suburban Carting be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2022.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

AUTHORIZE THE PARKS AND RECREATION DEPARTMENT TO AUCTION EQUIPMENT  
THAT IS OBSOLETE AND NO LONGER USED BY THE DEPARTMENT BY ABSOLUTE  
AUCTIONS  
RESOLUTION #48

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

WHEREAS, the Town of Yorktown has found that the Parks Department's below listed equipment are no longer needed for public use by the Town, and

WHEREAS, the Parks and Recreation Superintendent recommends to the Town Board to auction these pieces of equipment for the below listed minimums,

NOW, THEREFORE, BE IT RESOLVED, these pieces of equipment be auctioned by Absolute Auction:

Toro 580- \$4,500

Toro 3280- \$750

Old Shed - \$200

Ford 675 D backhoe- \$3,000

Kawasaki Mule- \$500

Old dumpster - \$1

Old 2 cycle Toro snowblower- \$1

Non-working Honda power washer- \$1

Non working attachments for tractor, spreader, snowblower, sickle bar and Mott mower- \$1

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

EXECUTIVE SESSION

Upon motion made by Councilman Diana, seconded by Councilman Lachterman, the Town Board moved into Executive Session to discuss legal matters with the Town Attorney.

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board moved to return to Open Session in order to consider the following resolution:

APPOINTMENT OF OFFICE ASSISTANT (AUTOMATED SYSTEMS) TO REFUSE AND RECYCLING DEPARTMENT – NICOLE FASCE  
RESOLUTION #49

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

BE IT RESOLVED, that Nicole M. Fasce of Yorktown Heights, NY, is hereby appointed to the civil service title, Office Assistant (auto systems), job class code 0750-01, from Eligible List No. 02-140, effective January 24, 2022, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A-1, Group 8, Step 1, which is \$54,717.00 annually,

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

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 January 24, 2022.

Slater, Diana, Esposito, Haughwout, Lachterman Voting Aye  
Resolution Adopted.

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss legal matters with the Town Attorney and will adjourn thereafter.

ADJOURN

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

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