

Meeting of the Town Board, Town of Yorktown held on Tuesday, June 21, 2022 held in Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor
Thomas P. Diana, Councilman
Sergio Esposito, Councilman (via video)
Luciana Haughwout, Councilwoman

Absent: 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 Councilman Esposito, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss Police Department personnel issues regarding individual employees, as well as litigation and negotiations. Upon motion made by Councilwoman Haughwout, seconded by Councilman Esposito, 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 for a moment of silence to remember our first responders, police, firefighters, EMTs, teachers and graduates, and those protecting our freedoms overseas and here at home.

INTRODUCTIONS

Members of the Town Board introduced themselves, as well as Town Clerk Diana Quast, and Highway Superintendent Dave Paganelli. Councilman Esposito joined the meeting virtually.

DURING REPORTS FROM TOWN SUPERVISOR MATTHEW SLATER

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

- Thank you to the departments who participated in the refurbishment of the basketball court at Railroad Park.
- The opening of the Granite Knolls All Inclusive Playground – thank you to Town Clerk Diana Quast who was the driving force behind the project.
- State Department of Transportation regarding the processing of the tree removal debris at the corner of Route 100 and Route 129 tree removal. DOT will be getting the proper equipment to process the debris.
- The opening of Trader Joe's. They will be hiring approximately 100 employees. He reviewed the traffic plan with them to ensure public safety, creation of overflow parking areas, and traffic control plans.
- ARPA Task Force reviewed responses from the survey. The number one issue is paving roads and road safety. Unfortunately, the ARPA money cannot be used for paving roads. More information on ARPA projects will follow.
- Climate Community Task Force submitted their application for Town recognition.
- Parks & Recreation continues with playground assessments and inspections. Supply chain issues are hampering the Hanover East playground structure installation.
- Veterans Field has had another incident of graffiti.
- Pool registration is open.

REPORTS FROM TOWN COUNCIL

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

REPORT FROM THE HIGHWAY SUPERINTENDENT

Highway Superintendent Paganelli reported that they started paving early this year and the price of paving has gone up fifteen percent. He said that the price of asphalt goes up the first of every month and is based on the liquid asphalt index. He said that at the end of last year the Town paid \$92 per ton and now we are paying \$117 per ton – a 23 percent increase, which means 23 percent less roads. He said that in addition to which they are milling roads to achieve the best longevity of the asphalt.

ROBERT NOBLE – CHIEF OF POLICE

Chief Noble introduced new police officer Brandon Montero, as well as Officer Montero's family. Chief Noble gave a brief biography of Officer Montero. Town Clerk Diana Quast swore in Officer Montero to his position. Officer Montero thanked Chief Noble, the Town Board, and his family.

Chief Noble thanked the Board and the community for their support and congratulated Brett Makar on his national lacrosse championship.

MICHAEL BUB – SPECIAL OLYMPICS CHAMPION

Supervisor Slater introduced Michael Bub, Special Olympics Champion. Michael displayed his one gold and two silver medals received for swimming at the 2022 Special Olympics USA Games held in Orlando, Florida. Supervisor Slater asked Michael how many medals he has in total and was told that he has 218 gold regional and state medals received over a span of thirteen years. Michael said that he has never lost a race. He said that he won the gold in the 200k medley relay race this year.

Supervisor Slater said Michael has accomplished something very special for our community and presented Michael with a proclamation for all of his over 200 medals.

BRETT MAKAR – NATIONAL CHAMPIONSHIP FOR LACROSSE

Supervisor Slater introduced Brett Makar and his family and congratulated him on becoming a national champion for lacrosse. Brett just returned from Team USA tryouts for the upcoming world games next summer in San Diego. He spoke of the amazing season his team, the Maryland Turfs, has had this year. Supervisor Slater spoke of the family support Brett received and spoke with his father. Supervisor Slater presented Brett with a proclamation from the Town Board celebrating his accomplishment as a nation champion.

POET LAUREATE

John McMullen, Poet Laureate, read two original poems.

COURTESY OF THE FLOOR

The following members of the public spoke:

- John McMullen, resident, spoke about the traffic problem at Perry Street and East Main Street. He said he has mentioned this to Councilman Diana (Traffic & Safety Committee) and Highway Superintendent Dave Paganelli.
- Susan Siegel, resident, spoke about the resolution to hire Transpo to do a traffic study that is on this evening's agenda. She asked for the content of the study and asked 1) what potential long term improvements or modifications are investigated at the Route 118 corridor from Underhill Avenue to Route 118 (which intersections are being covered) and 2) in reviewing the traffic generation will it included Underhill Farms, Uncle Giuseppe's, and future projects.
- Ed Ciffone, resident, commented on the Auditor's Report regarding the \$22 million unassigned fund balance. He said he would like a written account of where this money comes from.
- Dan Strauss, resident, thanked Superintendent Paganelli for his paving jobs. He spoke about the graffiti incident and said the perpetrators think they can get away with it and that is why they keep doing it. He spoke about the public hearing regarding the proposed Toll Brothers project and said he feels that it is not acceptable.
- George Winsman, resident, spoke about a fentanyl and cocaine bust that was recently made. He said he has made phone calls that go unreturned.

Upon motion made by Councilwoman Haughwout, seconded by Councilman Diana, Courtesy of the Floor was closed.

Both Councilman Diana and Supervisor Slater said they had the information Mr. Winsman was seeking and said they would speak to him later. Supervisor Slater said that Mr. Winsman questioned

why the Police Department doors remain locked and required buzzing in. Supervisor Slater said it is purely from a safety standpoint in light of some of the incidents that have occurred in other locations. He said, however, they are still accessible.

Councilman Diana said Mr. Winsman had an issue with one of his legs and said there was no place for him to sit at the police department when he needed to make a report. Supervisor Slater said that accessibility is part of the renovations at the courthouse and the police plaza.

Highway Superintendent Paganelli said all but \$7,000 of the \$1 million received was spent repaving an entire neighborhood on the north end of Town, east of Strawberry Road, as well as an entire neighborhood in the Heights section. He addressed Mr. McMullen's concerns and the suggested speed bumps did not meet the criteria because of a blind corner. He said that there is another meeting this week and they would be discussing the issue again.

Supervisor Slater directed Mr. Ciffone to page 20 of the Auditor's Report that has a list of all of the revenue brought in by the Town. Further detail should be discussed with the Town Comptroller. He said that he recognizes Mr. Ciffone's point but cannot predict where the Town would end up financially. He said that they have done much work on taxes and maintaining them for local taxpayers. He said that the next budget process is going to be difficult.

Supervisor Slater addressed Ms. Siegel and said the traffic analysis already includes Kear Street and Transpo added the intersection at Downing Drive; all of Route 118 is included.

Supervisor Slater addressed Mr. Strauss by saying the Town is addressing incidents as they are reported and is looking at security enhancements in certain areas.

AUTHORIZE SUPERVISOR TO ENTER INTO A REGIONAL KITCHEN AGREEMENT WITH THE TOWN OF SOMERS FOR THE WIN AND NSIP PROGRAMS
RESOLUTION #300

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

RESOLVED, the Supervisor is authorized to enter into a Regional Kitchen Agreement with the Town of Somers for the WIN and NSIP programs for the Town of Yorktown to prepare 150 meals for the Town of Somers from April 1, 2022 through March 31, 2023, at a cost of \$5.50 per meal.

Slater, Diana, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO ENTER INTO A REGIONAL KITCHEN AGREEMENT WITH THE TOWN OF SOMERS FOR THE TITLE IIIC AND NSIP PROGRAMS
RESOLUTION #301

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

RESOLVED, the Supervisor is authorized to enter into a Regional Kitchen Agreement with the Town of Somers for the TITLE IIIC and NSIP programs for the Town of Yorktown to prepare 100 meals for the Town of Somers from January 1, 2022 through December 31, 2022, at a cost of \$5.50 per meal.

Slater, Diana, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH TOWN OF YORKTOWN POLICE BENEVOLENT ASSOCIATION, INC. TO RESOLVE A GRIEVANCE
RESOLUTION #302

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

RESOLVED, that the Supervisor is authorized to enter into a memorandum of agreement with Town of Yorktown Police Benevolent Association, Inc. to resolve a grievance alleging the underpayment of wages.

Slater, Diana, Esposito, Haughwout Voting Aye

Resolution adopted.

AUTHORIZE TOWN CLERK TO NOTICE PUBLIC HEARING TO CONSIDER THE ABANDONMENT OF AN EXISTING PAPER ROAD AT THE INTERSECTION OF SUMMIT STREET AND MONTROSS ROAD

RESOLUTION #303

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

NOTICE IS HEREBY GIVEN that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York, on the 19th day of July, 2022, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider the abandonment of an existing paper road at the intersection of Summit Street and Montross Road ("Summit Street Paper Road").

Slater, Diana, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE TOWN CLERK TO NOTICE PUBLIC HEARING TO CONSIDER THE APPLICATION RECEIVED FROM JOHN AND ELAINE KINCART FOR DORCHESTER GLEN SUBDIVISION, TO AUTHORIZE THE PLANNING BOARD TO PROCESS SUBDIVISION UTILIZING FLEXIBILITY STANDARDS

RESOLUTION #304

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York on the 19th Day of July, 2022, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY at 7:30 pm o'clock or as soon thereafter can be heard to consider the application received from John and Elaine Kincart for Dorchester Glen Subdivision, 1643 Maxwell Drive, 24.2644 acre site - Section 15.20, Block 3, Lot 6 to authorize the Planning Board to process subdivision utilizing Flexibility Standards.

Slater, Diana, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE HIGHWAY SUPERINTENDENT TO SIGN CHANGE ORDER NO. 1 TO THE BID AWARDED TO S&L PLUMBING DUE TO ADDITIONAL WORK NEEDED TO RETROFIT THE INSTALLATION OF THE VENTILATION SYSTEM AT THE HIGHWAY GARAGE

RESOLUTION #305

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

RESOLVED, that the Highway Superintendent is authorized to sign Change Order No. 1 to be attached to the bid awarded to S&L Plumbing due to additional work needed to retrofit the installation of the ventilation system at the Highway Garage, and

Whereas, the additional work associated with the project includes additional sheet metal for routing changes to mounting of hose reels as well as roof curbs, now

Therefore, Be It Resolved, that the Highway Superintendent is authorized to sign Change Order No. 1 for additional work to be done by S&L Plumbing in the amount of \$9,279.06.

Slater, Diana, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE TRANSPO GROUP USA, INC. TO PERFORM A TRAFFIC REVIEW FOR THE UNDERHILL FARM PROJECT

RESOLUTION #306

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

WHEREAS, the Planning Board of the Town of Yorktown desires to have a review and analysis of the Traffic Study submitted for the proposed Underhill Farm located 370 Underhill Avenue, Yorktown Heights, NY 10598, also known as Section 48.06, Block 1, Lot 30 on the Town of

Yorktown Tax Map; and

WHEREAS, Transpo Group USA, Inc. a transportation planning and engineering consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on October 26, 2021; and

WHEREAS, Transpo Group USA, Inc. has submitted a proposal to provide the requested traffic review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$7,398.00 and additional cost estimate services for proposed alternative improvement scenarios not to exceed \$10,548.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Transpo Group USA, Inc. under the on-call agreement with the Town of Yorktown for the purpose of traffic review for the Underhill Farm, in an amount not to exceed \$7,398.00 and additional cost estimate services for proposed alternative improvement scenarios not to exceed \$10,548.00 for this traffic review, and that the total cost shall be reimbursed by the applicant as part of the cost of the application’s review.

Slater, Diana, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE PARKS & RECREATION SUPERINTENDENT TO ALLOW YORKTOWN LIONS CLUB USE OF THE JACK DEVITO VETERANS’ MEMORIAL FIELD FOR THE SUMMER 2022 CONCERT SERIES
RESOLUTION #307

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

RESOLVED, that the Parks and Recreation Superintendent is authorized to execute whatever documentation is necessary, as approved by the Town Attorney, for the Yorktown Lions Club to host six concerts at the Jack DeVito Veterans’ Memorial Field & Track during the Summer of 2022, for an amount of \$1,000 per concert, or a total not-to-exceed amount of \$6,000.00.

Slater, Diana, Esposito, Haughwout Voting Aye
Resolution adopted.

TAX CERTIORARI SETTLEMENT – 1005 CHAPMAN STREET
RESOLUTION #308

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 58.12 Block 1 Lot 7, 1005 Chapman Street on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel Section 58.12 Block 1 Lot 7, Account Number 4747000 owned by Francis Goldwyn for the assessment roll years 2019 and 2020 is settled as set forth in the proposed stipulation as follows:

Roll Year	Assessed Value From	Assessed Value To	Assessment Reduction
2019	22,750	21,000	1,750
2020	22,750	20,906	1,844

Slater, Diana, Esposito, Haughwout Voting Aye
Resolution adopted.

ADJOURN

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

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