

Meeting of the Town Board, Town of Yorktown held on Tuesday, February 21, 2023 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Thomas P. Diana, Supervisor
Edward A. Lachterman, Deputy Supervisor
Sergio Esposito, Councilman
Luciana Haughwout, Councilwoman
Mary Capoccia, Councilwoman

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

TOWN BOARD MEETING

Supervisor Thomas Diana called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Supervisor Diana, seconded by Councilman Lachterman, the Town Board moved into Executive Session to conduct committee interviews, discuss individual personnel matters, and litigation and negotiations with the Town Attorney. Upon motion made by Supervisor Diana, seconded by Councilman Lachterman, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Councilwoman Capoccia led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Diana asked for a moment of silence to remember first responders, our military troops both here and overseas who protect our freedoms, and also the people of Ukraine who are facing the one-year anniversary of the Russian invasion.

INTRODUCTIONS

Members of the Town Board introduced themselves, as well as Town Clerk Diana Quast, and Town Attorney Adam Rodriguez.

REPORT FROM THE TOWN SUPERVISOR

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

- Legacy Field update – they are hoping to reopen in mid-March to April 1. Supervisor Diana said this would be determined by the results of the geological reports that are being done.
- The dangling utility poles on Route 132 near the firehouse were repaired today.
- The Yorktown Stage had its reopening and Supervisor Diana thanked all who had a hand in its renovation. He spoke of all the upgrades that took place both inside and outside of the building.

REPORTS FROM TOWN COUNCIL

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

REPORT FROM COUNTY LEGISLATOR VEDAT GASHI

Vedat Gashi, Westchester County Legislator – 4th District, came before the Town Board to present a few of the items that they have done at the Legislature. He serves as the Chair on the Budget and Appropriations Committee. Legislator Gashi said that during his term he was proud that the property tax levy has decreased while increasing the reserves. He said that the County's fiscal rating (Standard & Poor's, Fitch Rating) has been increased. He said, however, there are challenges on the horizon. Some of the things the Legislature has done to address inflationary pressures and improvements include the following:

- Increasing the range for tax exemptions for senior citizens and persons with disabilities. Previously the range was up to \$29,000; it is now up to \$50,000.
- A gas tax holiday (June through August) was passed for about \$.12 reduction per gallon.
- Free bus fare on county buses during the gas tax holiday.
- New mental health resources created for veterans and fees for civil service exams for veterans have been waived.
- Legislator Gashi said that many calls to police are mental health related. He said there was a two-prong approach to dealing with this issues: calls to 911 would offer a mental health

option, as well as the creation of six mobile response units to attend to these types of emergencies. They are still in their infancy, but the response so far has been fantastic.

- Money was given to various parks for improvements (i.e., Hilltop Hanover Farm, Muscote Farm).
- Redistricting was done on the county level. Five public input sessions were held and there are some changes to the districts. The law had been changed where previously you could have a 10 percent deviation between districts (one could have 10 percent more while another could have 10 percent less) and now it has gone to a 5 percent deviation, which presented a challenge particularly to the 4th district, as a portion of the district to the east was lost and added 2 additional election districts in Yorktown.
- Legislator Gashi stated that they are still dealing with budget proposed by the governor. He said there are some challenges in this budget, such as passing fees for Medicaid to county – a \$46 million burden. The Legislature is disappointed by this and is asking for advocacy from their partners in the state and local governments to work through this.
- Legislator Gashi said that another concern is municipal housing efforts. He said that everyone agrees that housing is a need throughout the county but many people, including himself, disagree that it should be mandated by the state. It is a responsibility of the local governments. He said this is another area where the legislature would appreciate shared advocacy.
- He also mentioned the legislature created an elimination of sales tax for residential energy.

Legislator Gashi said he always welcomes questions and can be reached at gashi@westchesterlegislators.gov

POET LAUREATE

Poet Laureate John McMullen read an original poem “Poetry Became My New Basketball.”

ADOPT A DETERMINATION OF NON-SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW PART 6 CRR-NY 617.7, AND THAT A NEGATIVE DECLARATION FORM BE ATTACHED REFLECTING SUCH ADOPTION RESOLUTION #101

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

WHEREAS, the Town Board of the Town of Yorktown has considered all of the potential environmental impacts associated with the adoption of proposed amendments to Chapter 300-39, Affordable Housing of the Town Code, and have determined that there are no significant adverse impacts to the environment or the social and economic conditions in the Town; and

THEREFORE, BE IT NOW RESOLVED, that the Town Board hereby adopts a determination of non-significance pursuant to the State Environmental Quality Review Part 6 CRR-NY 617.7, and that a negative declaration form is attached hereto reflecting such adoption.

ADOPT LOCAL LAW #1 OF 2023 TO AMEND CHAPTER 300-39(A) THROUGH (F) OF THE CODE OF THE TOWN OF YORKTOWN ENTITLED “AFFORDABLE HOUSING” RESOLUTION #102

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

WHEREAS, a public hearing was duly held on February 14, 2023, pursuant to notice duly published as required by law to amend Chapter 300-39(A) through (F) of the Code of the Town of Yorktown entitled “Affordable Housing.”

Be It Enacted by the Town Board of the Town of Yorktown as follows:

Section 300-39(A) of the Code of the Town of Yorktown is hereby amended in its entirety and replaced with the following language:

Effect, purpose and intent. It is the purpose and intent of this section to provide guidelines and regulations for affordable housing under the Town’s Affordable Housing Program.

Section 300-39(B) of the Code of the Town of Yorktown is hereby amended by replacing the definition of AFFORDABLE HOUSING with:

A residential dwelling unit made available for sale or rent at a price established in conformance with the provisions hereof.

Section 300-39(D)(3) of the Code of the Town of Yorktown is hereby amended in its entirety and replaced with the following language:

Among income-eligible households which meet the occupancy standards, affordable units will be offered in the order of applicants based on the number on the affordable housing waiting list. The waiting list number will be determined at the discretion of the Community Housing Board either by lottery or by date and time of receipt of the preapplication. If the earliest date of receipt of the preapplication is utilized, in the event there is a tie due to identical dates of receipt of preapplications, a lottery will be used to determine the order of those applications on the list.

Section 300-39(D) of the Code of the Town of Yorktown is hereby amended to include the following new section (5):

(5) All Affordable Housing, whether for purchase or for rent, shall be broadly marketed in a fair and affirmative manner. Such marketing shall include referral to the County of Westchester's Homeseeker website.

Section 300-39(E)(2)(b) of the Code of the Town of Yorktown is hereby amended in its entirety and replaced with the following language:

The price affordable to a household at 80% of AMI at the time the unit is offered for resale. This price shall be determined such that monthly housing costs shall not exceed 30% of 80% AMI, as adjusted based on unit size using the minimum household size for the unit as per Section D.2. hereinabove, and calculating the mortgage based on 100% of the sales price utilizing an average of prevailing mortgage rates for thirty-year, fixed-rate mortgages. Monthly housing costs shall include the estimated principal and interest on the mortgage loan, estimated property taxes and homeowners' insurance (otherwise known as "PITI"), as well as any estimated common charges, homeowners' association fees, and/or common maintenance fees.

Section 300-39(E)(3) of the Code of the Town of Yorktown is hereby amended in its entirety and replaced with the following language:

- (3) Sales price.
 - (a) Resale: For resale of existing affordable homeownership units, the price established by the YCHB in accordance with the foregoing shall be the maximum resale price. Should no buyer be eligible under the terms herein contract for and close on the purchase of the affordable housing unit at this maximum price, the homeowner may, at his sole discretion, reduce the price or withdraw the unit from the market. The Town shall not be deemed to guarantee the resale price of the unit, which may be affected by factors such as the housing market and condition of the unit. A buyer of an affordable housing unit shall be deemed to have fully assumed the risks associated with the future value of the unit. The deed restrictions are for the sole purpose of ensuring that the unit is sold to an income-eligible buyer at no more than the maximum resale price as determined above.
 - (b) Initial Purchase Price: For calculation of the initial purchase price of an affordable homeownership unit, the YCHB shall establish the maximum gross sales price utilizing the guideline information from the U.S. Department of Housing and Urban Development in the most recent edition of the "Westchester County Area Median Income (AMI) Sales & Rent Limits" published by the County of Westchester. To calculate housing costs for establishment of affordability of for-sale units, the YCHB shall include the estimated principal and interest on the mortgage loan, estimated property taxes and homeowners' insurance (otherwise known as PITI), as well as any estimated common charges, homeowners' association fees, and/or common maintenance fees applying to the units in the development. The maximum initial for-sale price shall be determined such that monthly housing costs shall not exceed 30% of 70% AMI, as adjusted based on unit size using the minimum family size eligible for the unit per the occupancy standards in Section D.2. hereinabove, and calculating the mortgage based on 100% of the sales price utilizing an average of prevailing mortgage rates for 30-year, fixed rate mortgages.

Section 300-39(E)(4)(b) of the Code of the Town of Yorktown is hereby amended in its entirety and replaced with the following language:

To calculate initial rent for the for-rent affordable housing units, the YCHB will use the Low HOME rents based on unit size, as set forth in the most recent edition of the “Westchester County Area Median Income (AMI), Sales and Rent Limits.”

Section 300-39(E)(4)(c) of the Code of the Town of Yorktown is hereby amended in its entirety and replaced with the following language:

Unit Size of Affordable Units	Minimum Gross Floor Area (square feet)
Efficiency	450
One bedroom	675
Two bedrooms	750
Three bedrooms	1,000
Four bedrooms	1,200

Section 300-39(E)(4)(e) of the Code of the Town of Yorktown is hereby amended in its entirety and replaced with the following language:

One hundred and fifty days prior to the expiration of the lease, the owner or manager shall request income documentation from the tenant. The owner or manager shall review eligibility based on the rent and income guidelines provided by the YCHB and in effect at that time. If the tenant remains eligible, the owner or manager shall offer the tenant a renewal lease at a rent no greater than the Low HOME rent for the unit size occupied. If the tenant fails to submit income documentation for all occupants of a rental affordable housing unit as provided above, the owner shall not offer the tenant a renewal lease and shall terminate the tenant's lease.

Section 300-39(E) of the Code of the Town of Yorktown is hereby amended by adding the following § 300-39(E)(8):

Where development-specific funding agreements from Westchester County, New York State, or United States Government agencies require another methodology for determining rent or sales price, the provisions of such agreements shall supersede the methodology provisions of this local law.

Section 300-39(F)(1)(a) of the Code of the Town of Yorktown is hereby amended in its entirety and replaced with the following language:

The annual review of the implementation of this section and the recommendation of changes in these provisions where necessary. At the request of the Community Housing Board, the Yorktown Town Board may ask the County of Westchester to carry out the administrative duties specified herein, or may engage other government or not-for-profit agencies to perform such duties, and may authorize expenditures from the Yorktown Affordable Housing Trust Fund to pay, if necessary, for the performance of those duties.

NOW, THEREFORE, BE IT RESOLVED that Local Law No. 1 of 2023, amended and annexed hereto, be and is hereby adopted.

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

Supervisor Diana	Voting	Aye
Councilman Lachterman	Voting	Aye
Councilman Esposito	Voting	Aye
Councilwoman Haughwout	Voting	Aye
Councilwoman Capoccia	Voting	Aye

Local Law No. 1 of 2023 is hereby adopted.

COURTESY OF THE FLOOR

The following members of the public spoke:

- John McMullen, resident, spoke about his dining experience at Jefferson on the Lake, a new restaurant.
- Jay Kopstein, resident, said it is time to get rid of the “zombie” poles that exist in Town. He said he would have liked to hear more from Legislator Gashi about the governor’s proposed budget that is going to hurt residents. He said that the good bond rating the county now has has nothing to do with Westchester County or the Legislature. He said that Westchester County is one of the few counties in the state that every town and village is responsible to make the county whole on taxes and are stuck doing the collections. He said that the fact that they are doing well means that we are doing well as a town and the Town Board should be congratulated, not the County Legislators.
- Marc Lieberman, resident, spoke about the Town Clerk Diana Quast’s designation as Master Municipal Clerk. He spoke of the effort that goes into this achievement and that the Town is fortunate to have one of only 23 towns in New York State to have a Master Municipal Clerk as its Town Clerk. This title is granted by the prestigious International Institute of Municipal Clerks and their program has an extensive and rigorous educational and professional contribution program. He said that for the past 75 years the IIMC has been recognized as the premier organization for municipal clerks and whose mission it is to improve the professionalism of the municipal clerks. Mr. Lieberman would like the Town Board to recognize this award received by Diana Quast, Town Clerk.
- Jennie Sunshine, resident, said she has lived in Yorktown for 20 years and cannot remember a time that Diana Quast was not a part of the Town Clerk’s office. She spoke of how Clerk Quast works diligently, concisely, and professionally for many, many years. Ms. Sunshine congratulated the Town Clerk on her recent designation, as well as thanking her for her dedication to the Town. She said Ms. Quast is always present for all of the residents, always ready to help; she knows how everything works, gets things done, and has brought the office into the future. Ms. Sunshine thanked Ms. Quast for being such a dedicated public servant.
- Susan Siegel, resident, spoke about her FOIL request for copies of subpoenas that the Town paid legal services for on two invoices from Bleakley Platt & Schmidt. She presented copies of the invoices to the Town Board. She also asked if the March 8 meeting regarding Underhill Farm was to be televised.
- Ed Ciffone, resident, asked about the public hearing for the amendment for Affordable Housing and was told it was held on February 14. He said that the sales tax and home heating oil tax were each raised 1% by the County Executive as soon as he took office. He spoke generally about the increase in taxes.
- Tom Regan, resident, Vice President of YAC and liaison to P&R Commission, asked about Legacy Field and the impact of not opening the field as quickly as possible.
- Ken Belfer, resident, made a correction to a comment made earlier in the evening during reports from the Town Board. He said that the location of the new Argonne Rose Brewing Company is in Mohegan Lake, not Shrub Oak.
- Dan Strauss, resident, spoke about the negative effects of the Soundview property. He said it is a disgrace to ruin a historic site in the Town. He said the Town should find the money to purchase the property and it not be developed, as it would ruin the ecology of the property.
- Sarah Wilson, resident, thanked the Town Board for the proclamation recognizing Black History Month and invited everyone to join Yorktown for Justice and the John C. Hart Library this Saturday 10:30 to 12:30 for an open mike poetry event celebrating black poets.
- John McMullen said that Colin Smith, County Legislator, who is emceeding the Open Mike Poetry event is also a published poet.
- Jim Pugliesi, resident, also mentioned the importance of Legacy opening. He said that the Yorktown Athletic Club is a gem for our youth in Town. YAC is celebrating its 75th anniversary this year and is looking to throw a celebration in Town and asked for Town Board and Police Department support.
- Jay Tomasullo, resident and baseball director for the Shrub Oak Athletic Club, spoke about the urgency of opening Legacy Fields. He said a delay would cause chaos for players.
- John Campobasso, resident, YAC member, and Parks & Recreation Commission member first thanked the Town Board for their work and support but said there are also hurdles with Granite Knolls facility (i.e., parking and the solar project).
- Christine Dunne, resident, added to the comments about Legacy Field. She said these parks and playing fields are some of the reasons people move here. She thanked the Town Board

and Parks & Recreation but felt that if the issues did not get resolved on time, there would be scheduling chaos.

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

Members of the Town Board responded to comments made during Courtesy of the Floor.

Councilwoman Haughwout said more information is needed regarding the invoices that Ms. Siegel presented to the Town Board. She also said that she, as a parent, also is anxiously awaiting the reopening of Legacy Field.

Supervisor Diana said he is in constant contact with Christian DiPalermo, who is the head person in this area. He said that as far as compensation goes, he is currently in negotiations to take care of that. He said they are going as fast as they possibly can – four of the eight areas of interest have been drilled to the levels they need to make sure everything is safe. He said that his main concern is the safety of the children who play there. Supervisor Diana said that the sinkhole is filled and was done properly; there have been many tests done to show this. He said another drill rig may be brought in to expedite the process. He said the word today is mid-March to April 1. He said that he understands the frustration this may cause but they are working as fast as they can in the safest way possible.

Councilwoman Haughwout asked the Superintendent of Parks and Recreation about a tabulation of lost revenue because of this. Councilman Esposito said that, more importantly, it is the loss of use for the sports clubs.

Supervisor Diana said the Town is going to receive compensation for lost revenue.

Supervisor Diana spoke about the joint meeting on March 8 to discuss the Underhill Farm project. Supervisor Diana said the mansion on the Soundview property is not going to be torn down and was never a possibility. He said the current owners are going to put about \$1 million into the home in order to preserve it. He said the Town looked into purchasing the property but the structure could not be brought up to code for Town usage. He asked Director of Planning John Tegeder to give a background of the overlay district and how the Soundview property falls into it. Mr. Tegeder proceeded to explain the genesis of the Overlay District (as part of the 2010 Comprehensive Plan) and how it came about as a subject of interest in recent years to address some of the housing needs and retail vacancies in Town.

Supervisor Diana asked Town Attorney Adam Rodriguez to address Ms. Siegel's FOIL request and said he could not and would not confirm or deny the existence of any grand jury subpoenas; grand jury proceedings are confidential. He said that, to the extent that there is a grand jury subpoena, it would not be subject to redaction under FOIL.

Councilman Esposito explained that the Affordable Housing amendment removed a date in the existing law that prevented the Community Housing Board from managing any affordable housing units build after 1994.

Councilman Lachterman said the double issue would be addressed with those utilities who are responsible. He said that the Jefferson on the Lake restaurant mentioned by Mr. McMullen is located in the old Ceola Manor.

AUTHORIZE SUPERVISOR TO EXTEND THE RETAINER AGREEMENT WITH EMMINGER, NEWTON, PIGEON, MAGYAR, INC. BY \$15,000 FOR APPRAISAL SERVICES
RESOLUTION #103

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

Resolved that the Supervisor is authorized to extend the retainer agreement with Emminger, Newton, Pigeon, Magyar, Inc by \$15,000 for appraisal services for the mall at Jefferson Valley located at 650 Lee Boulevard, Yorktown.

Be It Further Resolved, the Comptroller is authorized to transfer funds from the 2022 appropriations as follows for this purpose:

From: A1355.101 Assessor Salary \$15,000.00
 To: A1355.437 Appraisals \$15,000.00

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
 Resolution adopted.

APPOINT RALPH TARCHINE AS PART-TIME CONSULTANT IN THE BUILDING DEPARTMENT
RESOLUTION #104

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

BE IT RESOLVED, that Ralph Tarchine is hereby appointed part-time as a consultant in the Building Department, at the rate of \$75.00 per hour.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
 Resolution adopted.

AUTHORIZE COMPTROLLER TO PAY ANGEL GARCIA THE CASH VALUE OF UNUSED TIME AS OF HIS RETIREMENT DATE
RESOLUTION #105

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

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Angel Garcia the cash value of unused time as of his retirement date:

Rate of Pay: \$457.04 daily
 \$ 57.13 hourly

Vacation	6.00 days	x	\$457.04	= \$2,742.24
Personal Days	4.00 days	x	\$457.04	= \$1,828.16
Holiday Pay	1.08 days	x	\$457.04	= \$ 493.60
Veterans Days	2.00 days	x	\$457.04	= \$ 914.08
Comp Time	.16 hours	x	\$ 57.13	= \$ 9.14

Longevity				
01/09/22 to 01/09/23			\$2,025.00	
\$2,025.00 / 260 days = \$7.79 per day				
01/09/23 to 01/27/23			= 14 days	
			14 days x \$7.79 =	\$ 109.06
Total Longevity				\$2,134.06
Total				\$8,121.28

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From: A3120.106 Police Longevity \$2,134.06
 A3120.102 Police Salary – Uniform \$5,987.22
 To: A3120.108 Police Lump Sum Payments \$8,121.28

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
 Resolution adopted.

AUTHORIZE COMPTROLLER TO REFUND AND PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE LIBRARY DIRECTOR
RESOLUTION #106

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

BE IT RESOLVED, that the Town Comptroller is hereby authorized to reimburse the following expenses:

From: L.7410.0405 Conferences in the amount of \$1,054.11

To: Yvonne Cech, Library Director for attending the New York Library Association Conference 11/1/2022 - 11/5/2022.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

AUTHORIZE THE FOLLOWING DUPLICATE SECOND HALF SCHOOL TAX REFUNDS
RESOLUTION #107

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

Resolved, that the below listed Duplicate Second Half School Taxes be refunded:

<u>Account No:</u>	<u>Amount</u>	
3931000	\$2,975.58	Refund Duplicate Second Half School Tax
0444500	\$1,913.31	Refund Duplicate Second Half School Tax
1260400	\$4,903.04	Refund Duplicate Second Half School Tax
2286000	\$4,033.54	Refund Duplicate Second Half School Tax
4687514	\$6,141.25	Refund Duplicate Second Half School Tax
1726500	\$3,513.16	Refund Duplicate Second Half School Tax
1214500	\$3,710.41	Refund Duplicate Second Half School Tax
2552500	\$3,582.99	Refund Duplicate Second Half School Tax
4436000	\$4,669.32	Refund Duplicate Second Half School Tax

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

SET PUBLIC HEARING TO AMEND CHAPTER 260 OF THE CODE OF THE TOWN OF
YORKTOWN ENTITLED "TAXATION"
RESOLUTION #108

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

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on Tuesday, March 7, 2023 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to amend Chapter 260 of the Code of the Town of Yorktown entitled "TAXATION" by amending Section 260-1(A), 260-1(A)(5), 260-2(A), 260-23(A), 260-23(B), 260-25(A), 260-29(A), and 260-34.

A copy of said proposed local Law is on file in the office of the Town Clerk, where the same may be requested during regular office hours or on the Town Clerk's webpage at www.yorktownny.org/townclerk under "Pending Legislation."

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

APPROVE JOINT MEETING OF THE TOWN BOARD, PLANNING BOARD,
CONSERVATION BOARD, AND THE HERITAGE PRESERVATION COMMISSION TO
DISCUSS THE SOUNDVIEW PROPERTY A/K/A UNDERHILL FARM PROJECT
RESOLUTION #109

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

NOTICE IS HERE GIVEN that a joint meeting of the Town Board, Planning Board, Conservation Board, and the Heritage Preservation Commission will be held on Wednesday, March 8, 2023 at 7:00 p.m. in the Town Board Room of the Yorktown Town Hall, 363 Underhill Avenue, New York 10598 to discuss the Soundview Property a/k/a Underhill Farm project.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

ADVERTISE BID FOR ULTRAVIOLET LAMP REPLACEMENT FOR DISINFECTION
SYSTEM FOR THE WATER POLLUTION CONTROL PLANT

RESOLUTION #110

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

RESOLVED, that the Town Clerk is hereby authorized to advertise a bid for Ultraviolet Lamp Replace for Disinfection System for the Water Pollution Control Plant – Bid #23-3.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

AWARD BID FOR VARIOUS CHEMICALS FOR THE YORKTOWN HEIGHTS WATER POLLUTION CONTROL PLANT BID

RESOLUTION #111

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

WHEREAS, the Town bid nine (9) chemicals for the Various Chemicals for the Yorktown Heights Water Pollution Control Plant Bid and are summarized as follows:

<u>CHEMICAL</u>	<u>BIDDER</u>	<u>AMOUNT</u>
Ferric Chloride	PVS Technologies	\$1,193.00 \$/per dry ton
Ferric Chloride 37% to 40%	Surpass Chemical	\$272.94 \$/per 55 gallon drum
Caustic Soda 50%	Univar Solutions	\$3.527 \$/gallon
Caustic Soda 25%	Surpass Chemical	\$157.85 \$/per 55 gallon drum
Citric Acid 50%	Surpass Chemical	\$586.30 \$/per 55 gallon drum
Sulfuric Acid (not more than 51%)	Slack Chemical	\$323.94 \$/per 55 gallon drum
Sodium Bisulfite 38%	Surpass Chemical	\$149.05 \$/per 55 gallon drum
Sodium Hypochlorite 15%	Surpass Chemical	\$184.25 \$/per 55 gallon drum
Calgon Poly-E-Z	Slack Chemical	\$16.47 \$/dry ton

RESOLVED, that the bid for Ferric Chloride be awarded to PVS Technologies, the low bidder, at a cost of \$1,193.00 \$per dry ton, and

RESOLVED, that the bid for Ferric Chloride 37% to 40% be awarded to Surpass Chemical, the low bidder, at a cost of \$272.94 per \$/55-gallon drum, and \$1,364.00 \$/per 275 gal. tote, and

RESOLVED, that the bid for Caustic Soda 50% be awarded to Univar Solutions, the low bidder, at a cost of \$3.527 \$/gallon, and

RESOLVED, that the bid for Caustic Soda 25% be awarded to Surpass Chemical, the low bidder, at a cost of \$157.85\$/per 55gal drum, and \$789.25 \$/per 275 gal. tote, and

RESOLVED, that the bid for Citric Acid 50%, be awarded to Surpass Chemical, the low bidder, at a cost of \$586.30 \$/per 55gal drum, and

RESOLVED, that the bid for the 275 gallon tote for the Citric Acid 50% be awarded to Slack Chemical, the low bidder, at a cost of \$2,817.00 \$/per 275 gal. tote, and

RESOLVED, that the bid for Sulfuric Acid (not more than 51%) be awarded to Slack Chemical the low bidder, at a cost of \$323.94 \$/55 - gallon drum, and \$1,504.25 \$/per 275 gal. tote, and

RESOLVED, that the bid for Sodium Bisulfite 38%, be awarded to Surpass Chemical the low bidder, at a cost of \$149.05 \$/per 55- gallon drum, and \$745.25 \$/per 275 gal tote, and

RESOLVED, that the bid for Sodium Hypochlorite 15%, be awarded to Surpass Chemical, the low bidder, at a cost of \$184.25 \$/per 55-gallon drum, and \$921.25 \$/per 275 gal. tote, and

RESOLVED, that the bid for Calgon Poly-E-Z be awarded to Slack Chemical, the low bidder at a cost of \$16.47 \$/dry ton.

RESOLVED, that the contract term for this project shall be for a duration of one (1) year, commencing or about **2/21/23**. Upon mutual consent of the Contractor and the Town, the contract may be extended for one additional term of one (1) year at the same price, terms and conditions.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

APPOINT NISREEN KHOURY TO PERMANENT STATUS – BUILDING DEPARTMENT
RESOLUTION #112

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

BE IT RESOLVED, that Nisreen Khoury is hereby appointed permanent status to the civil service title, Office Assistant (Automated Systems), Job Class Code 0750-01, effective February 27, 2023, to be paid at the rate set forth in the Yorktown CSEA Salary Schedule A-1, Group 8, Step 5, which is \$69,094.00 annually.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

APPOINT DAVID J. DOHERTY TO SENIOR AUTOMOTIVE MECHANIC – CENTRAL GARAGE

RESOLUTION #113

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

BE IT RESOLVED, that David J. Doherty is hereby appointed permanent status to Senior Automotive Mechanic, Job Class Code 0484-02 in the Department of Central Garage, effective February 17, 2023, to be paid from Yorktown CSEA Salary Schedule A, Group 13, Step 5, which is \$81,545.00 annually.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

RE-ADVERTISE FOR POOL TILE REPAIR BID

RESOLUTION #114

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

WHEREAS, the bid for Pool Tile Repair received no responses and the Department Head recommends authorizing the Town Clerk to re-advertise the bid for Pool Tile Repair; and

RESOLVED, the Town Clerk is authorized to re-advertise the above-referenced bid.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

AUTHORIZATION TO SIGN CONCESSION AGREEMENT WITH YORKTOWN GOLF GROUP INC. FOR PARK LOCATED ON ROUTE 6

RESOLUTION #115

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

RESOLVED, that the Supervisor is authorized to execute a concession agreement with Yorktown Golf Group Inc. to provide golf recreation and services at the Town-owned park located on the south side of Route 6 at the intersection of the Taconic State Parkway, for an initial 5-year term, with a license fee of \$78,000 in year one, \$80,340 in year two, \$82,750.20 in year three, \$85,232.76 in year four, and \$87,788.88 in year five, with restaurant opening by June 16, 2023 and the golf course opening by August 18, 2023.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye
Resolution adopted.

Adam Rodriguez gave the particulars of the agreement, which include discounts for residents, seniors, and veterans, as well as and donating practice times to the Town's high school golf teams.

Supervisor Diana said they and the Parks and Recreation Commission and the Parks and Recreation Department worked together to vet this properly for the Par 3 golf course and believes this company will do a good job. He thanked everyone involved for working on this.

ADJOURN

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

DIANA L. QUAST, TOWN CLERK
MASTER MUNICIPAL CLERK