

Meeting of the Town Board, Town of Yorktown held on May 2, 2017 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor  
Gregory M. Bernard, Deputy Supervisor  
Vishnu V. Patel, Councilman  
Thomas P. Diana, Councilman  
Edward Lachterman, Councilman

Also Present: Diana L. Quast, Town Clerk  
David Paganelli, Highway Superintendent  
Michael McDermott, Town Attorney

#### TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

#### PLEDGE OF ALLEGIANCE

Supervisor Grace led the Pledge of Allegiance.

#### MOMENT OF SILENCE

A moment of silence was observed in honor of our men and women serving in the Armed Forces.

#### SUPERVISOR GRACE'S REPORT TO THE TOWN

Supervisor Grace introduced Cosimo Pagano, GHD Consulting Services, who will be assisting him with the presentation on the sewer districts. The public was asked to sign in if they were present for the sewer district presentation.

#### KENNETH RUNDLE, WATER DISTRIBUTION SUPERINTENDENT AND JOSEPH LEWIS, ASSISTANT WATER MAINTENANCE FOREMAN -THIRTY YEARS OF SERVICE TO THE TOWN

Mr. Kenneth Rundle, Water Distribution Superintendent, introduced Joe Lewis, Assistant Water Maintenance Foreman, both have hit the thirty year milestone of working for the Town of Yorktown and they wanted to thank the Board for recognizing their service.

Supervisor Grace thanked Ken and Joe and praised the work ethic of those in the Water Department. Supervisor Grace presented both Ken and Joe with Certificates of Appreciation.

Supervisor Grace mentioned Andrew Alimonti, who also just retired from the Highway Department after 35 years of service.

#### REPORTS FROM THE TOWN COUNCIL

Councilman Diana thanked all who came out for the Spring "Dust Off" Car Show held on Commerce Street. There was a great turnout; looking forward to next year's event.

Councilman Patel thanked those who participated in the town clean-up event, "Battle of Yorktown."

Councilman Lachterman also wanted to mention that the Niche Ratings for Best Places to Live came out, with Yorktown receiving an "A." This also says a lot about our Town services and employees. The Town's Teen Center is having a Cinco de Mayo celebration this Friday at the YCCC. All are invited.

Supervisor Grace mentioned the death of Rocco Cambareri this past weekend and how greatly his loss will be felt by the Town. It was his dream to bring back the Par Three Golf Course at Shallow Creek. Supervisor Grace extended his and the Town's deepest sympathies to Rocco's family. Supervisor Grace hope is that the Town is able to fulfill Rocco's dream of completing the golf course and at that point a memorial should be considered for all Rocco has done, including considering naming the golf course after him.

Supervisor Grace also wanted to thank those who participated in the Holocaust Ceremony and hopes that it becomes a Yorktown tradition. Speaker Mr. Samuel Matsa represented a small percentage of those Greek Jews who actually survived the Nazi extermination; his speech was inspiring and moving.

Councilman Patel mentioned the Arbor Day Celebration and reminded everyone of the philosophy of “cut one and plant two” when removing trees.

#### HALLOCKS MILL SEWER PRESENTATION

Supervisor Grace stated that when running for supervisor, one of his commitments was to finally break the roadblock on getting homes hooked up into sewer districts. He and his office have been working on this since he was elected and is happy to have finally broken the logjam with the regulatory agencies. Supervisor Grace mentioned the efforts of prior Town Engineer Dan Ciarcia and the work done with Department of Environmental Conservation (DEC) and Department of Environmental Protection (DEP). The Town lobbied with both agencies and got a significant change in the SPDES permit from a monthly average on its limitation of surface discharge to a rolling yearly average which gave the Town about 300,000 gallons a day excess capacity. The Town waited a full year for the data to make sure it was correct which it is. The Town had a discussion with DEC and DEP where the Town lobbied heavily for recognition of the fact that the plant had been upgraded to handle 1.5 million gallons per day but was not recognized as being able to handle that much. The Town convinced them that this is the correct certification for the amount of effluent that the plant can adequately handle. With that in mind, when the Town went for the amended SPDES permit, they also asked for a permit to go to 2.5 mill gallons per day. Supervisor Grace stated that the Town was under the impression that this was going to be incredibly difficult to get, but found out that it just required asking for a variance and provide a basis for doing so, which we have done. The Town gave DEP a program of how we were going to invest in the rehabilitation of three pump stations within the Hallocks Mill and Peekskill Sewer Districts. The Town is looking to rehabilitate these three pump stations on an annual basis until completion. Now that the logjam is broken and we can get into the plant, we are looking at issuing permits to people that actually need them and have a pipe located next to their property.

Supervisor Grace then went through the calculations of the costs, and the end result is in excess of \$13,000,000 as the cost of doing the additional infrastructure in order to hook up homes to the Hallocks Mill Sewer District. He then gave background information on the Wastewater Treatment Plant and the Hallocks Mill Sewer District.

About 30 years ago a SPDES permit was granted that allowed a 1.5 million gallon flow from the Wastewater Treatment Plant. When this public improvement was done, a special improvement district was created. This is essentially a taxing district; properties are designated as those contributing to the special improvement. This district was called Taxing District 39 – all of these properties were included to be taxed in order to have the plant improved from .5 million gallons to 1.5 mill gallons. If you are unsewered in the Hallocks Sewer District, you are most likely part of District 39. The existing properties in the Hallocks Mill Sewer District that have the sewer service are part of Taxing District 91 – these are the properties that pay operation and maintenance (O&M) fees to the Hallocks Mill District. Everyone not sewerred in the Hallocks Mill Sewer District is most likely in District 39; the debt service district allowed for this improvement. This is somewhat of an anomaly and happened for a lot of different reasons. Much of District 91 is called a “no cost district” that was created by developers who developed the property. All of these properties in District 91 started coming into the plant before the collection infrastructure was built to 1.5 million gallons. Then the regulatory limitation was set by both DEC and DEP which did not allow for any further sewer extensions into the plant. The District 39 properties that were planned to go into the plant never got the collection infrastructure because it had to be bonded; other properties got the collection infrastructure mostly at no cost to the property owners through development. The District 39 got shut out by the regulatory limitation on the outflow of the plant at 1.5 million gallons per day. The Town has been living with that limitation for 30 years but has now pierced through that limitation and the issue is how the Town should split the areas that are to be sewerred. Supervisor Grace displayed the areas to be sewerred by sub-areas. The per capita cost does not include the individual hook up. The Town currently has \$10 million in East of Hudson Funds and has to decide how the money gets allocated. Costs were done for each sub-area and applied in different ways to the \$10 million East of Hudson funds. Supervisor Grace said this is only the beginning of a conversation with residents; he will be around to the different neighborhoods to speak to everyone involved. Which areas he will go to first is a question which needs to be addressed. One of the criteria to help determine this was to look at how many septic failures have been reported in the different sub-areas over the years. The size of properties, underlying soil, etc. – all these are taken into account because we have 25 sub-areas to be sewerred. We also have to look at community interest in being sewerred.

One of the main parameters that will have to be considered in the process is the continued limitation of flow; the Town will hit the limitation of the capacity that it has. Supervisor Grace says they are confident that the Town will be able to get 400-500 homes into the district; after that we will butt up against the permitted flow capacities. That will preclude some of the other properties from coming in. However, the Town is looking at a total of 700 homes that will be placed into the Hallocks Mill Sewer District. The Town is hoping to begin construction in 2019 and by then the Town will be up against another permit and will start to get the average up from 1.5 million gallons/day to the 2.5 million gallon/day which will then allow all of the 700 homes to be completed. The lower cost districts are Sunrise at about \$28/capita; Sparkle Lake \$27/capita, Broadview \$31/capita, etc. Supervisor Grace said that the Town will have to go back to the districts and sub-areas to find what the interest level of the residents is; if it is low, the money can be reallocated to a district that has a higher interest level.

Supervisor Grace talked about the Chelsea Ridge Pump Station, which feeds into Peekskill Sanitary Sewer District and how it may need rehabilitation – these properties are a small piece amid the properties that are to be sewerred. When the Burke Street area is done, those homes will be done with a gravity feed line to the Hallocks Mill Sewer District which comes very close to the force main that feeds the homes in the Farmwalk area - Chelsea Ridge Pump Station. Instead of replacing 1700 linear feet of force main for Chelsea which is very costly, the simpler idea may be to link them to the gravity main line to the Hallocks Mill Sewer District. The Town has since decided that this may no longer be practical because they want the full capacity to go to the homes that were not sewerred in the Hallocks Mill District. The Town is going to explore alternatives to replacing the force main for the homes in the Chelsea Ridge Pump station area, keeping in mind the cost and that one option may be to link to the gravity feed for the Hallocks Mill Sewer District. A question was asked as to who maintains the Chelsea Ridge Pump Station and Supervisor Grace replied that the Yorktown Sewer Department does and that it is the Town's obligation to maintain and repair it. The entire sewer infrastructure in the Town is maintained by Yorktown, even though it pumps to Peekskill.

Supervisor Grace continued to explain the cost breakdown. The Town is looking for an overall cost of approximately \$.25/day. If a sub-area is not interested in participating initially, another sub-area will be moved into its place with the understanding there is no guarantee when you will be able to jump back in. Supervisor Grace was asked what percentage of residents are needed to proceed in a particular area and the response was that if you are creating a district, the Town needs 51% of the assessed value to consent for the creation of a district. However, in this case, you do not need to create a district – these homes are already located in a debt service district, and the issue remains as to what cost makes sense for the Town and the residents. Three main areas looking to be done first were displayed as examples: Sunrise Street, Sparkle Lake, and Birch Street – these were identified as priority areas based on failing systems. The total amount of construction costs for this grouping of areas is approximately \$18.7 million – that figure includes a 30% construction contingency which is very high but will decrease as the Town does further studies. As that decreases, another area may be moved up the line in getting done. The trick is: does the town lower this cost by using the entire \$10 million from Westchester County's East of Hudson funds or wait and spread it around to other areas. If it used entirely on these three areas, it lowers the construction cost to \$8.7 million. The annual cost per user would be \$1100 (with the 30% contingency) plus a \$577 O&M charge (probably less because there would be more users). Without spreading the costs around the entire district, it would be \$2495 plus a \$577 O&M charge which equals \$3,000 per home; this is prohibitively expensive. The Town felt that an argument could be made that the cost for the collection systems for these sub-areas should be paid by the entire district. An equitable argument has to be made as to why the combination of District 39 and District 91 should pay for the cost for those areas unsewerred at this point. District 91 residents may not want to pay for sub-areas to have a collection system since they already have their sewers. Supervisor Grace said this may be a legitimate argument; however, everybody in District 91 has taken advantage of the investment made by everyone in District 39. District 39 paid for the plant to go from .5 million to 1.5 million gallons. They paid the debt service for that and did not get into the sewer district. Residents in District 91 have enjoyed the fruits of District 39's investment. District 91 got in because they were a no-cost district and didn't do a buy-in. They either went to the county themselves or were in due to a developer. If the Town doesn't spread the cost over both Districts 39 and 91, District 39 will be precluded from the Hallocks Mill Sewer District financially. Supervisor Grace stated that there is not an area in town that's going to be sewerred if the Town can't get contributions from both districts. When that is done, the cost is down to \$.25 per day. For those people in District 91, if the Town were to sewer those 453 homes in Sunrise Street, Sparkle Lake, and Birch Street, there would be an

annual capital cost to all the new users of \$111 for the actual infrastructure which includes the \$10 million subsidy. Supervisor Grace stated he felt the fair thing to do is spread the cost over the 4140 existing units that will share the capital cost on an annual basis with the subsidy of \$111 for the actual infrastructure costs, on top of which you would pay an OM charge of \$577, and this would decrease because there would be more people sharing it. On an annual basis, it would cost \$600/year to be sewered but this requires a contribution from all current users. This plan amounts to \$.16 more per day to the existing users.

This same analysis was done for different configurations of the areas. This is a \$30 million project with a \$10 million subsidy equaling \$20 million net project with a 30% contingency. Basically what it comes down to for existing users in District 91 is \$.31/day on average. New users coming in would pay \$247 plus whatever the O&M charge will be at that time. Supervisor Grace listed the different configurations and resulting costs of cents per day; the average being about \$.31 extra. So this figure is close to the \$.25 per day that the Town was targeting.

Supervisor Grace mentioned that a problem will occur when the Town gets to the point where they are hitting capacity. Supervisor Grace has had conversation with DEC and DEP and right now what is controlling the plant regarding its permit is that it is a surface discharge plant. The quality of the water coming downstream of the plant is better in oxygen saturation than the quality of the water upstream of the plant which is why it has been upgraded to handle 2.5 million gallons per day. The restriction was that the discharge permit (SPDES) only allowed for 1.5 million gallons on a rolling average to be discharged into the stream. Since the plant can handle 2.5 million gallons a day, on our last go-around with the regulatory agencies was to ask for the 2.5 million gallons permit. Supervisor Grace asked for the 2.5 million gallons per day with an offer to do things to get the upgrade. The offer was to redo the pump stations within the watershed which had to be done anyway. The regulatory agencies asked for a schedule of rehabilitation of our pump stations in the watershed – they said for every pump station the Town does, the Town would be granted more capacity which gives us more incentive. Instead of constantly going back each time a pump station was rehabilitated, the regulatory agencies said they would just give us the capacity now, along with a schedule of rehabilitation. Supervisor Grace said that the climate has changed regarding increasing the sewer districts. The big issue in the past has been that the regulatory agencies did not want to see development in Northern Westchester at all and that had been the mentality for a long time. The unintended consequence of this thinking was having septic systems that began to fail. Supervisor Grace stated that the Town does not have the 2.5 million gallon capacity right now but DEP will consider a variance once we've done our part – the pump station rehabilitations. They don't want our failed systems any more than we do. Supervisor Grace said he does not foresee a regulatory limitation on bringing everybody in; he believes they will allow everybody in. Supervisor Grace said he promises he will be around all of the targeted areas to talk to residents in order to get feedback on how they feel about the project. There is a compelling interest for the town to see these homes sewered – he spoke about giving residents monetary incentives or stipends to hook up to the sewers, possible \$1,000 to \$2,000 per household. Another funding option to consider: New York State just passed their budget which included 5 billion set aside for clean water, part of that is for areas that are unsewered to hook up to sewers. There are other grant programs coming through that will be looked at. Supervisor Grace spoke about other sources of funding that the town can look at to help with the costs of this project. He then took questions from the audience.

Supervisor Grace ended by thanking those who attended and said if they had any questions, to please contact his office.

**PUBLIC HEARING PROPOSED LOCAL LAW TO AMEND CHAPTER 275 ENTITLED VEHICLES AND TRAFFIC – AMAZON ROAD AND MOGUL DRIVE, AND AMAZON ROAD AND SYLVAN ROAD**

Supervisor Grace convened a public hearing to consider amending Chapter 275 of the Code of the Town of Yorktown entitled “VEHICLES AND TRAFFIC,” Article 1, entitled “Traffic and Parking Regulations,” by adding full stop signs at the intersections of Amazon Road and Mogul Drive and Amazon Road and Sylvan Road. Affidavits of Posting and Publication were presented by the Town Clerk.

No Public Comment was received.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was closed. Upon motion made by Councilman Diana, seconded by Councilman Lachterman and carried.

LOCAL LAW #6 OF 2017 AMENDING CHAPTER 275 ENTITLED “VEHICLES AND TRAFFIC” – AMAZON ROAD AND MOGUL DRIVE, AND AMAZON ROAD AND SYLVAN ROAD  
RESOLUTION #156

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

WHEREAS, a public hearing was held on May 2, 2017, pursuant to notice duly published as required by law amending Chapter 275 of the Code of the Town of Yorktown entitled “VEHICLES AND TRAFFIC,” Article 1, entitled “Traffic and Parking Regulations,” by adding full stop signs at the intersections of Amazon Road and Mogul Drive and Amazon Road and Sylvan Road.

RESOLVED, that Local Law #6/2017, 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 Michael Grace     | Voting | Aye |
| Councilman Vishnu Patel      | Voting | Aye |
| Councilman Gregory Bernard   | Voting | Aye |
| Councilman Thomas Diana      | Voting | Aye |
| Councilman Edward Lachterman | Voting | Aye |

Local Law #6 of 2017 is hereby duly adopted.

PUBLIC HEARING PROPOSED LOCAL LAW TO AMEND CHAPTER 275 ENTITLED VEHICLES AND TRAFFIC BANK ROAD

Supervisor Grace convened a public hearing to consider amending Chapter 275 of the Code of the Town of Yorktown entitled “VEHICLES AND TRAFFIC,” Article 1, entitled “Traffic and Parking Regulations,” by repealing and replacing that portion of §275-4A relating to the south side of Bank Road. Affidavits of Posting and Publication were presented by the Town Clerk.

Councilman Bernard asked for this public hearing to be withdrawn at this time.

PROPOSED LOCAL LAW TO AMEND CHAPTER 275 ENTITLED VEHICLES AND TRAFFIC CROW HILL ROAD

Supervisor Grace convened a public hearing to consider amending Chapter 275 of the Code of the Town of Yorktown entitled “VEHICLES AND TRAFFIC,” Article 1, entitled “Traffic and Parking Regulations,” by repealing and replacing that portion of §275-11(B)(2) relating to Crow Hill Road. Affidavits of Posting and Publication were presented by the Town Clerk.

Councilman Bernard stated that this was basically a language change in the law.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was closed. Upon motion made by Councilman Diana, seconded by Councilman Lachterman and carried.

LOCAL LAW #7 OF 2017 AMENDING CHAPTER 275 ENTITLED “VEHICLES AND TRAFFIC,” ARTICLE I, ENTITLED “TRAFFIC AND PARKING REGULATIONS” RELATING TO CROW HILL ROAD  
RESOLUTION #157

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

WHEREAS, a public hearing was held on May 2, 2017, pursuant to notice duly published as required by law amending Chapter 275 of the Code of the Town of Yorktown entitled “VEHICLES AND TRAFFIC,” Article 1, entitled “Traffic and Parking Regulations,” by repealing and replacing that portion of Section 275-11(B)(2) relating to Crow Hill Road.

RESOLVED, that Local Law #7/2017, 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 Michael Grace     | Voting | Aye |
| Councilman Vishnu Patel      | Voting | Aye |
| Councilman Gregory Bernard   | Voting | Aye |
| Councilman Thomas Diana      | Voting | Aye |
| Councilman Edward Lachterman | Voting | Aye |

Local Law #7 of 2017 is hereby duly adopted.

ADVERTISE REQUEST FOR PROPOSALS - FOOD AND REFRESHMENT SERVICES FOR TOWN POOLS

RESOLUTION #158

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

The Town of Yorktown (“Town”) is seeking proposals from qualified proposers (“Proposer”) interested in providing high quality, reasonably priced food and refreshment service (snack bar service) at the Town of Yorktown’s pools located on Edgewater Street, Yorktown Heights (Junior Lake Pool) and Sunnyside Street, Shrub Oak (Brian J. Slavin Aquatic Center).

All completed proposals must be received in the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598, no later than 11:00 a.m. on June 5, 2017. Specifications and standard proposals may be obtained at the Office of the Town Clerk at said Town Hall.

The proposer assumes the risk of any delay in the mail or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the proposer assumes the responsibility for having bids in on the day, time and place specified above.

The Town of Yorktown reserves the right to waive any informalities in the proposals, to reject any or all proposals and reserves the right to accept that proposal which it deems most favorable to the interests of the Town of Yorktown.

If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

APPROVE BID EXTENSION FOR ASPHALTIC CONCRETE LAID IN-PLACE – HIGHWAY DEPARTMENT

RESOLUTION #159

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

WHEREAS, invitation to bid for the Asphaltic Concrete Laid In-Place for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on June 22, 2015

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Asphaltic Concrete Laid In-Place for the Town of Yorktown be and is hereby extended for one year, per the terms of the bid contract to: Clove Excavators, Inc., 212 Van Wagner Road, Poughkeepsie, NY 12603.

BE IT FURTHER RESOLVED, the dates of the extension will be August 1, 2017 to July 31, 2018.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

APPROVE BID EXTENSION FOR STREET LIGHT MAINTENANCE AND REPAIR –  
HIGHWAY DEPARTMENT  
RESOLUTION #160

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

WHEREAS, invitation to bid for the Street Light Maintenance and Repair Services for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on July 18, 2016,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Street Light Maintenance and Repair Services for the Town of Yorktown be and is hereby extended for one year, per the terms of the bid contract to: Hanover Electric, 1803 Commerce Street, Yorktown Heights, NY 10598,

BE IT FURTHER RESOLVED, the dates of the extension will be August 15, 2017 to August 14, 2018.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

APPROVE BID EXTENSION FOR TRAFFIC LIGHT MAINTENANCE AND REPAIR –  
HIGHWAY DEPARTMENT  
RESOLUTION #161

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

WHEREAS, invitation to bid for the Traffic Light Maintenance and Repair Services for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on August 8, 2016,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Traffic Light Maintenance and Repair Services for the Town of Yorktown be and is hereby extended for one year, per the terms of the bid contract to: Verde Electric, 69 Edison Ave., Mt. Vernon, NY 10550,

BE IT FURTHER RESOLVED, the dates of the extension will be August 15, 2017 to August 14, 2018.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AWARD BID FOR PAVEMENT MARKINGS – HIGHWAY DEPARTMENT  
RESOLUTION #162

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

WHEREAS, invitation to bid for the Pavement Markings for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on April 27, 2017, with the bid amounts for the above referenced project summarized below:

|                                  | Double Yellow Lines<br>per mile | Single White Lines<br>per mile |
|----------------------------------|---------------------------------|--------------------------------|
| Accent Stripe Inc.               | \$1,949.00                      | \$ 976.00                      |
| Safety Markings, Inc.            | \$2,525.00                      | \$1,262.50                     |
| Seneca Pavement<br>Marking, Inc. | \$2,925.00                      | \$1,925.00                     |

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Pavement Markings bid and is hereby awarded to Accent Stripe, Inc. 3275 N. Benzing Road, Orchard Park, NY,

BE IT FURTHER RESOLVED, the contract is to begin on August 1, 2017 and terminate on July 31, 2018. The Town shall have the option to extend this contract at the same price for (3) consecutive one-year terms.

Highway Superintendent David Paganelli explained how he ended up awarding the bid to someone so far away. They used the Empire Bid System to broaden the bid to all of New York State. Accent Strip, Inc. is the contractor for DOT Section 8 and is always in our area so distance would not be a problem. Mr. Paganelli felt using the Empire Bid System was a good experience. The money saved by using Accent Stripe, Inc. may allow his department to get crosswalks done, as well.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE THE FOLLOWING BUDGET TRANSFERS TO CLOSE CAPITAL PROJECT HT – MOHEGAN SEWER DISTRICT AND CAPITAL PROJECT JK – KITCHAWAN WATER DISTRICT

RESOLUTION #163

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

RESOLVED that the Town Comptroller is authorized to make the following budget transfers to close Capital Project HT – Mohegan East Sewer

From: GB – Yorktown Sewer Cash  
To: HT – Mohegan East Sewer Cash  
Amount: \$22,410.93

BE IT FURTHER RESOLVED that the Town Board authorizes Capital Project JK – Kitchawan Water District be closed.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE CERTIORARI PROCEEDING FOR 271 VETERANS ROAD, SECTION 37.15, BLOCK 1, LOT 76

RESOLUTION #164

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 37.15 Block 1 Lot 76, 271 Veterans Road, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 37.15-1-76 Account Number 3639500, owned by 271 Veterans Road Realty for assessment roll years 2010, 2011, 2012, 2013, 2014, 2015 and 2016 are settled as set forth in the proposed stipulation as follows:

| Roll Year | Assessed Value From | Assessed Value To | Reduction |
|-----------|---------------------|-------------------|-----------|
| 2010      | 15,500              | 12,450            | 3,050     |
| 2011      | 15,500              | 13,468            | 2,032     |
| 2012      | 15,500              | 14,098            | 1,402     |
| 2013      | 15,500              | 14,958            | 542       |
| 2014      | 15,500              | 13,805            | 1,695     |
| 2015      | 15,500              | 14,336            | 1,164     |
| 2016      | 15,500              | 14,336            | 1,164     |

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SEND LETTER TO SUNY ONEONTA ADMINISTRATION REGARDING CONCERNS ABOUT RADON  
RESOLUTION #165

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

BE IT RESOLVED that the inasmuch as students who graduated from the Lakeland and Yorktown School Districts are now attending the State University of New York at Oneonta, the Town Supervisor on behalf of the Town Board is authorized to send a letter to SUNY Oneonta Administration expressing serious concerns about radon, and the need to test the campus as per the protocols by The American Association of Radon Scientists and Technologists.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH MORPHOTRUST USA – YORKTOWN POLICE DEPARTMENT  
RESOLUTION #166

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

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign an agreement with MORPHOTRUST USA for a renewal maintenance contract and support services for the Yorktown Police Department's Livescan equipment and software from May 1, 2017 to April 30, 2018. The annual renewal fee is \$3,298.00.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES FOR TITLE IIIB TRANSPORTATION SERVICES  
RESOLUTION #167

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with the Westchester County Department of Senior Programs and Services for Title IIIB Transportation Services in the amount of \$10,113. This is for the period January 1, 2017 through December 31, 2017.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH YORKTOWN COMMUNITY NURSERY SCHOOL FOR SUMMER CAMP  
RESOLUTION #168

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with the Yorktown Community Nursery School for summer camp from July 3, 2017 to August 4, 2017 in the amount of \$3,725.00.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE WATER DISTRIBUTION SUPERINTENDENT TO PURCHASE THE YEAR 1 FLEXNET UPGRADE FOR \$23,775.00  
RESOLUTION #169

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

WHEREAS, the Yorktown Consolidated Water District uses Sensus water meters throughout its distribution system; and

WHEREAS, on May 22, 2015, Sensus announced the end of life (EOL) of its regional network interface release 2.x (aka FlexNet) effective April 12, 2016. This interface is used by the Yorktown Water Department to obtain remote readings on 3,300 Sensus water meters; and

WHEREAS, Sensus continued support for customers licensing this software for one year after its EOL. On April 12, 2017 Sensus ended support of this software; and WHEREAS, software reaching EOL is considered obsolete and is no longer supported by Sensus due to third party licensing issues; and

WHEREAS, the solution will be a FlexNet upgrade to transition to a hosted system where servers and software are both managed and supported off site in a tier four data management center. The in-house servers located at the Water Department office will no longer be required to operate the Sensus system; and

WHEREAS, the cost will consist of a “one time” set up fee of \$16,475.00 and Year 1 annual fees based on 3,300 meters of \$7,300.00 for a total of \$23,775.00. All annual fees will include all support necessary; and

THEREFORE BE IT RESOLVED, the Town Board authorizes the Distribution Superintendent, Ken Rundle, to purchase the Year 1 FlexNet upgrade for \$23,775.00.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE WATER DEPARTMENT STANDBY EMPLOYEE TO TAKE HOME  
DEPARTMENT VEHICLE FOR RESPONDING TO WATER DEPARTMENT EMERGENCIES  
RESOLUTION #170

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

WHEREAS, designated Water Department employees alternate standby on a weekly basis; and

WHEREAS, in responding to an emergency the standby employee on call must travel to the Water Department garage, pick up a Town vehicle and travel to the emergency site to investigate; and

WHEREAS, this route affects the Water Department timeliness in responding to the emergency and in most cases causing more property damage and water loss for the Town; and

WHEREAS, to provide a more efficient and timely response to all Water Department emergencies it is in the best interest of the Town to permit the standby employee on call to take a Water Department vehicle home; and

NOW, THEREFORE, BE IT RESOLVED, that upon recommendation of the Distribution Superintendent, Ken Rundle, the Town Board authorizes the Water Department standby employee who is on call to take a Water Department vehicle home for the sole purpose of responding to Water Department emergencies.

Grace, Patel, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

DURING COURTESY OF THE FLOOR, the following people spoke:

Mrs. Susan Siegel, resident, questioned the transfer of monies resolution to close capital projects.

Mr. Robert Puff voiced his support for the sewer proposal. He stated that home values are always relative to town water and sewer and this project will give home prices an increase and adds value.

Mr. Mark Lieberman read a poem regarding character. He asked that Supervisor Grace turn on microphones during work sessions.

Mr. Paul Moskowitz said that he heard an interesting remark regarding the public hearing on the wetlands law: Town-owned property would be covered under the new law – why isn't this true of the tree law? Supervisor Grace said he would consider putting it back in.

Mr. Mel Tanzman supports sewerage everywhere if it can be done and said it was a good thing. He asked about the use of microphones at the work sessions. Mr. Tanzman stated it is not just being kind to use microphones; it is law under the ADA.

Mr. Douglas Offner thanked the Board and said they were doing a great job.

Mrs. Patricia Caporale, Town Comptroller, addressed Mrs. Siegel's questions. She said she is closing out capital projects that have been on the books for 10-20 years with no activity. Debt service was the only payment; she offered other paperwork if required. Mrs. Siegel asked why the money was taken from Yorktown Sewer and was told that was where the funds were originally transferred from.

Upon motion made by Councilman Diana, seconded by Councilman Lachterman and carried, Courtesy of the Floor was closed.

ADJOURN

Upon motion made by Councilman Diana, seconded by Councilman Lachterman the Town Board Meeting was adjourned.

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DIANA L. QUAST, RMC  
TOWN CLERK  
TOWN OF YORKTOWN