

Meeting of the Town Board, Town of Yorktown held on August 1, 2017 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

Also Present: Diana L. Quast, Town Clerk
Michael McDermott, Town Attorney

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Lachterman, the Town Board moved into Executive Session to discuss contract negotiations. Upon motion made by Councilman Diana, seconded by Councilman Patel, the Town Board moved out of Executive Session and proceeded with the meeting.

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.

REPORT FROM THE TOWN SUPERVISOR

Supervisor Grace mentioned that this is the last televised meeting for the month of August. The next televised meeting will be held on September 5, 2017.

REPORT FROM THE TOWN COUNCIL

Councilman Lachterman listed the schedule for concerts being held in Town.

Councilman Diana mentioned that he would be going to South Carolina to see the graduation of the K-9 dog that will be used in Yorktown to help curb drug trafficking. The dog is named Dallas after the Dallas police officers who were killed in action. She will be present at the September 5 Board Meeting with her handler from the Yorktown Police Department.

Councilman Patel said everyone should enjoy the rest of his or her summer and to be careful of overexposure to the sun. He also mentioned that he attended the 50th anniversary of the Yorktown Museum celebration and that everyone should visit the exhibitions the museum has.

Councilman Lachterman talked about the Purple Heart Recipient Parking Spaces and asked the public to please refrain from parking in those spaces designated for the recipients.

PRESENTATIONS

PURPLE HEART PROCLAMATION

Eugene Lang was presented with a proclamation commemorating his sacrifice and receipt of the Purple Heart. August 7th is National Purple Heart Day. The proclamation was read by Councilman Lachterman. Mr. Lang said that since the Town became a Purple Heart Town in 2013, there has been much more recognition of the Purple Heart recipients in town. However, he did mention that there are sometimes problems with the designated parking spaces.

Supervisor Grace mentioned how Mr. Lang's family escaped tyranny in Hungary, adopted our country as his own; he then fought for his country to become a Purple Heart recipient.

Councilman Patel invited Mr. Lang to speak about the monuments in Cortlandt Manor. Mr. Lang said there are two beautiful monuments at the Cortlandt Manor Town Hall. One is for the Purple Heart Recipients. He explained that you are given a Purple Heart if you are wounded in combat or if you are killed in combat. If you are killed in combat, your surviving mother is given the Purple Heart and she becomes a Gold Star mother in acknowledgement of losing a child in combat. The other monument is a memorial for all Viet Nam veterans. He encouraged everyone to stop and see these two beautiful monuments.

Councilman Diana thanked Mr. Lang, as well as all others, who have served our country. He mentioned that currently there is no legislation to enforce Purple Heart Recipient Parking Spaces, and asked Mr. Lang about pending legislation that may be adopted so this can be enforced. Mr. Lang said he heard it was for areas north of here but would try to find out more.

“THE TRAILS OF YORKTOWN” FILM PRESENTATION

Jonathan Nettlefield, founding member of the Yorktown Trailtown Committee, spoke of how the Committee, in the last two years, has been participating in the mentoring of Yorktown High School students. This last year’s participation led them to Liz Gmoser and he mentioned that, as a filmmaker himself, how amazed he was with the quality of her work, her creative vision, and above all else, her understanding of how to communicate an idea.

Liz Gmoser said that she started this program last August and finished in May. Her goal was to discover the trails in Yorktown and show their beauty to all residents. The film was then presented to the audience. Liz Gmoser mentioned that the film is on the Town’s website, as well as YouTube.

PUBLIC HEARING TO CONSIDER REVISIONS TO THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

Supervisor Grace convened a public hearing to consider revisions to the Yorktown Section 8 Housing Choice Voucher Program’s administrative plan. Affidavits of Posting and Publication were presented by the Town Clerk.

Karren Perez, Section 8 Program Director, explained the revisions to the Administrative Plan. This particular change came about due to a final rule on the reauthorization of the Violence Against Women Act. We have adopted many of the provisions of this law over the last several years. This revision regards certain forms that need to be adopted in order to comply with federal regulations.

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 Bernard, seconded by Councilman Lachterman and carried.

APPROVE REVISIONS TO THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM’S ADMINISTRATIVE PLAN

RESOLUTION #275

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

RESOLVED, that following a duly-noticed hearing that was held on August 1, 2017 and closed on August 1, 2017, the Town Board hereby adopted the revisions of the Section 8 Administrative Plan dated June 21, 2017, a copy which are on file with the Town Clerk’s Office, the Yorktown Section 8 Office, as well as posted on The Town Of Yorktown’s website www.yorktownny.org. Such revisions are subject to approval by the U.S. Department of Housing and Urban Development.

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

PUBLIC HEARING TO CONSIDER A WETLAND PERMIT APPLICATION FOR 1481 MAIDEN LANE - ROBERT BOESCHL

Supervisor Grace convened a public hearing to consider the Wetland Permit Application received from Robert Boeschl for property located at 1481 Maiden Lane, Yorktown Heights, NY 10598, also known as Section 47.13, Block 1, Lot 15. The request is to construct a single-family residence that would replace one that had previously burned down. Affidavits of Posting and Publication were presented by the Town Clerk.

Robert Boeschl, applicant, explained that the old foundation of the home that had previously burned down will be used and that it exists in the wetlands buffer.

Town Engineer Michael Quinn stated that the new home will be built within 100 feet of an existing pond that is, essentially, across the street. There is a 15-foot easement that goes behind the home that provides driveway access.

Ed Ciffone, resident, asked if this application falls under the old law or the new revised law. Supervisor Grace stated that no law was revised regarding wetlands permits.

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 Lachterman, seconded by Councilman Diana and carried.

APPROVE WETLAND PERMIT FOR 1481 MAIDEN LANE - ROBERT BOESCHL RESOLUTION #276

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

WHEREAS:

1. The Applicant submitted an application for a Wetlands and a Storm Water Pollution Prevention Plan permit for construction of a single family home.
2. A Public Hearing was held regarding this application on 8/01/2017.
3. The Approval Authority for this permit application is the Town Board.
4. All required application fees have been paid.
5. The Applicant submitted engineering plans for the subject property, entitled: Site Development Plan for Robert Boeschl by Cronin Engineering, dated 7/6/17.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board declares itself Lead Agency, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions under SEQRA.
2. The Action is approved by the Town Board subject to compliance with the Town Code and adherence to the plan documents submitted in support of the application.
3. The following conditions are included as part of the Action: All comments listed in the Town Engineer's memo dated 7/07/2017 and copied below hereto shall be addressed to the satisfaction of the Town Engineer prior to issuance of any permits.
 - A. Applicant will be required to obtain a building permit for the new single family home to be constructed. Will also need to provide a zoning compliance chart to confirm the new house meets all Town zoning regulations.
 - B. Applicant proposes to re-use an existing subsurface sanitary disposal system, provide the required approval from the Westchester County Health Department.
 - C. There is a large gravel drive and turnaround area proposed at the location where a garage will be built. Provide dimensions of the gravel drive/parking/turnaround area and a detail of construction. Since this area will be relatively impervious, Engineer must confirm there will be no off-site impacts on the adjacent property (or provide a means of channeling storm flow away from this area).

- D. Stormwater: please clarify where the footing drains and roof leaders will discharge.
- E. Label the grading lines, it is very confusing to follow the proposed grading work.
- F. The erosion and sediment control plan must include a limit of disturbance and a silt fence must be provided around all disturbed areas.
- G. The sequence of construction must state that access for the shared driveway will be maintained at all times.
- H. The plans show a privately owned retaining wall in the Town right-of-way, Engineering will consult with the Highway Department to confirm if the wall must be removed or relocated.

Conditions that must be met prior to the commencement of work:

1. A Yorktown Building Permit must be obtained from the Building Department.
2. A pre-construction meeting must be held at the site. The applicant or a representative must contact the Engineering Department (914) 962-5722 x220 to arrange this meeting. All erosion controls and limits of disturbance lines (such as silt fence and orange construction fencing) are to be installed in accordance with the approved plan prior to this inspection.
3. As required by the NYSDEC Standards and Specifications for Erosion & Sediment Control, a silt fence shall be installed around the proposed land disturbance and soil stockpile area. A stabilized construction entrance shall be installed at the edge of pavement to prevent off-site migration of spoils.
4. All erosion control measures shall be maintained in place until the Town Engineer has confirmed that a minimum of 80% of the disturbed areas have been permanently stabilized (vegetative growth), all temporary control measures such as silt fencing have been removed, all post-construction controls have been satisfactorily installed and maintained and all conditions of this permit have been met.

Conditions that must be met during construction:

1. The entire scope of work is shown on the engineering plans referenced above; no additional land disturbing activity of any kind shall be permitted without the issuance of a new permit by the appropriate approval authority. No further changes to the existing site topography shall be permitted and no protected trees shall be cut.
2. The guidelines contained in the NYSDEC Standards and Specifications for Erosion & Sediment Control, latest edition, shall be followed. At the end of each work day, soil stockpiles shall be covered. If not worked on for more than seven (7) days, stockpiles shall be seeded/mulched with a silt fence around the perimeter.
3. No soil storage outside the limit of disturbance line is permitted. Road in front of property must be kept broom clean at all times.
4. Excess material shall be removed from the site and a copy of the waste manifest shall be provided to the Engineering Department to confirm the disposal location. If any excess soil material is proposed to remain on site, Applicant shall notify the Town Engineer, who will review and approve in writing prior to the work occurring.

When the Project Work is Complete:

1. The applicant or his representative shall fill out and submit a Construction Completion Certificate to the Town Engineer. The Engineering Department will then perform a final inspection to confirm the required improvements have been satisfactorily completed. Applicant will be notified of concurrence or if any work is not acceptable.

2. A final site survey showing as-built conditions shall be provided to the Engineering Department, provide a printed copy and in pdf format.
3. When area is re-vegetated, stabilized and erosion control removed (silt fence), notify the Engineering Department who will then inspect site and advise if further stabilization is required.

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

AWARD BID FOR THE GRANITE KNOLLS SPORTS AND RECREATION
COMPLEX PROJECT

Councilman Patel read a statement saying that although he is in favor of the Granite Knolls Sports and Recreation Complex, he feels that there is not enough transparency and honesty coming from the Town Board regarding the cost and the funding. The need for the Complex is great and despite any reservations or doubts that he has, he will vote yes to the resolutions.

Supervisor Grace stated that Councilman Patel had just insulted the entire Town Board when he deliberately put his head in the sand over the project. This project has been going on for three to four years. The first time around, Councilman Patel voted no on the project because of political reasons. He said this was a bonded bid – not only does the bidder need to tell us the price but guarantee the price that they bid. Supervisor Grace stated there is a competitive bid process will be done for the turf. He went on to explain where the funding is coming from to pay for the project.

Councilman Bernard explained what is being voted on this evening in the ensuing resolutions.

Councilman Patel continued to explain his position on how the numbers are not complete and are not the whole story.

Supervisor Grace discussed the background regarding the project over the last few years.

AWARD BID FOR THE GRANITE KNOLLS SPORTS AND RECREATION
COMPLEX PROJECT
RESOLUTION #277

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

WHEREAS, invitation to bid for the Granite Knolls Sports and Recreation Complex Project was duly advertised, and

WHEREAS, said bids were received and opened on June 26, 2017, with the bid amounts for the above-referenced project summarized as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Montesano Brothers, Inc. 76 Plain Avenue New Rochelle, NY 10801	\$3,850,000.00
Landscape Unlimited, Inc. P.O. Box 38 Somers, NY 10589	\$4,957,000.00
Bradhurst Site Construction Corp. 140 Bradhurst Avenue Valhalla, NY 10595	\$5,155,954.00
Con-Tech Construction Technology, Inc. 1961 Route 6, Suite R-3, Box 12 Carmel, NY 10512	\$5,648,860.00

ELQ Industries, Inc. 567 Fifth Avenue New Rochelle, NY 10801	\$5,873,069.00
McNamee Construction Corporation 154 Route 202, P.O. Box 182 Lincolndale, NY 10540	\$6,543,067.00
Applied Landscape Technologies 145 River Road Montville, NJ 07045	\$7,368,918.25
FGI Corporation 1901 Amethyst Street Bronx, NY 10462	\$9,380,067.50

Now Therefore Be It Resolved, that upon the recommendation of the Parks and Recreation Superintendent, Todd Orłowski, the bid for the Granite Knolls Sports and Recreation Complex Project be and is hereby awarded to Montesano Brothers, Inc. 76 Plain Avenue, New Rochelle, NY 10801.

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

AWARD BID FOR ALARM MONITORING FOR TOWN FACILITIES
RESOLUTION #278

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

WHEREAS, the Town solicited Bid Proposals for Alarm Monitoring Services for Town Facilities, and

WHEREAS, two proposals were received and opened on July 31, 2017 and evaluated by Town Staff based on a variety of criteria including, but not limited to monitoring, service calls, and annual testing, and

WHEREAS, it was determined that the proposal submitted by Marshall Alarm Systems, Inc. was the most beneficial to the Town, now

THEREFORE BE IT RESOLVED, that the Town selects Marshall Alarm Systems to provide Alarm Services for Town Facilities as per their submitted proposal. The contract will run for a period of three years with the option to renew for two 1-year periods.

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

AWARD BID FOR THE YORKTOWN COMMUNITY CULTURAL CENTER
BATHROOM RENOVATIONS
RESOLUTION #279

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

WHEREAS, invitation to bid for the YCCC Bathroom Renovations was duly advertised, and

WHEREAS, said bids were received and opened on July 31, 2017, with the bid amounts for the above-referenced project summarized as follows:

<u>Bidder</u>	<u>Bid Amount</u>
A. DeVito & Son, Inc. 334 Underhill Avenue, Suite 3D Yorktown Heights, NY 10598	\$ 69,500.00
Kneeland Construction Company	\$127,500.00

407R Mystic Avenue, Suite 34B
Medford, MA 02155

Pearl River Plumbing Heating & Electric, Inc. \$191,380.00
d/b/a Bertussi's
60-70 Dexter Plaza
Pearl River, NY 10965

Now Therefore Be It Resolved, that upon the recommendation of the Building Maintenance Supervisor, the bid for the YCCC Bathroom Renovations be and is hereby awarded to A. DeVito & Son, Inc. 334 Underhill Avenue, Suite 3D, Yorktown Heights, NY 10598.

Be It Further Resolved the Town Board authorizes the expenditures to come from the Capital Project HV – Improvements to Various Town Buildings.

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

APPROVE RELEASE OF APPLICATION FEE – NEJAME & SONS OF DANBURY, LLC

RESOLUTION #280

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

WHEREAS:

1. Nejame & Sons of Danbury, LLC as applicant, posted check #13700 in the amount of \$300 to serve as application fee which was deposited to the A2116 account on July 21, 2017 for work to be performed at the Dorchester Drive location.
2. Town Engineer has reviewed the above referenced application and determined that a permit will not be necessary, and that \$300.00 application fee may be released.

NOW, THEREFORE BE IT RESOLVED, that the above referenced fee be released to Nejame & Sons of Danbury, LLC, 91 South Street, Danbury, CT 06810.

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

APPROVE TAX CERTIORARI SETTLEMENT FOR TAX PARCEL 6.17-1- 43, 45 AND 46 - GEORGE ROBERTA AND LARA K. ROBERTA TRUST

RESOLUTION #281

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 6.17 Block 1 Lot 43, 45 and 46, 393 East Main St., 415 East Main Street and 431 East Main St., on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 6.17-1-43, 6.17-1-45 and 6.17-1-46 Account Numbers 2224500, 2225000 and 2226000, owned by George Roberta and Laura K. Roberta Trust for assessment roll years 2013, 2014, 2015 and 2016 are settled as set forth in the proposed stipulation as follows:

Section 6.17-1-43

Roll Reduction Year	Assessed Value From	Assessed Value To	
2013	650	448	202
2014	650	432	218
2015	650	416	234
2016	650	400	250

Section 6.17 Block 1 Lot 45

Roll Reduction Year	Assessed Value From	Assessed Value To	
2013	16,600	11,449	5,151
2014	16,600	11,040	5,560
2015	16,600	10,631	5,969
2016	16,600	10,222	6,378

Section 6.17 Block 1 Lot 46

Roll Reduction Year	Assessed Value From	Assessed Value To	
2013	3,050	2,103	947
2014	3,050	2,028	1,022
2015	3,050	1,953	1,097
2016	3,050	1,878	1,172

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

AUTHORIZE BUDGET TRANSFER FOR HIGHWAY DEPARTMENT TOWN-WIDE
STREET SWEEPING
RESOLUTION #282

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

Be It Resolved that the Comptroller is hereby authorized to process the following budget transfer to complete Town-wide street sweeping:

From:		
D5110.101	Highway Salary	\$10,000.00
To:		
D5110.425	Outside Services	\$10,000.00

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

AUTHORIZE BUDGET TRANSFER FOR AMAZON PARK COMMUNITY
BUILDING IMPROVEMENTS
RESOLUTION #283

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

Whereas, the following quotes were received for work to be done regarding the concrete footing and drains to the Amazon Park Community Building:

Wagner G. Construction Corp.	\$18,450.00
Riina Development Group	\$20,000.00
NHG Inc.	\$22,250.00

Now, Therefore, Be It Resolved, that the work be contracted to Wagner G. Construction Corp., for the total cost of \$18,450.00,

Now, Therefore Be It Further Resolved, that the Town Comptroller is hereby authorized to transfer \$18,450.00 from the Amazon Park Fund Balance to AP7180.454 Property Improvements for the above work to be done at the Amazon Park Community Building.

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

AUTHORIZE PLANNING DEPARTMENT TO APPLY FOR A FTA DOT GRANT FOR SENIOR BUSES
RESOLUTION #284

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

WHEREAS, the Town of Yorktown Town Board authorizes the Planning Department to apply for a grant, under Section 5310 of Chapter 53 of Title 49, United States Code, for purchase of replacement senior buses for the purpose of transporting seniors to the Yorktown Senior Nutrition Center and to deliver hot meals to homebound seniors within the Town of Yorktown and therefore meet the needs of elderly individuals and individuals with disabilities; and

WHEREAS, the grant application requires that the Town Board adopt a resolution supporting the submission of the grant application to purchase two new senior buses in the amount of \$136,956.00; and

WHEREAS, if granted the municipality will commit a 20% funding match of \$27,391.20 to meet the requirements of the grant; and

RESOLVED that the Town of Yorktown Town Board authorizes the Planning Department to apply for a grant under the Section 5310 Grant Program of \$109,565.40 and authorizes the Town to contribute \$27,391.20, for a total cost of \$136,956.00, to purchase two new senior buses.

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

AUTHORIZE SALE OF OUTDATED, UNUSABLE EQUIPMENT FOR POLICE DEPARTMENT BY ABSOLUTE AUCTIONS
RESOLUTION #285

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

RESOLVED, that the Town of Yorktown Town Board authorizes the sale of the following outdated, unusable equipment for the Police Department by Absolute Auctions:

Eighteen (18) emergency light bars
Seven (7) prisoner cages-metal dividers
Ten (10) plastic trunk organizers

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

AUTHORIZE COMPTROLLER TO RESTORE YORKTOWN POLICE DEPARTMENT PETTY CASH FUND
RESOLUTION #286

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

Authorize the Comptroller to issue a check in the amount of \$158.28 to restore the Yorktown PD petty cash fund to its originally authorized balance of \$250.

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

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH FORTE FOR ONLINE DOG LICENSE RENEWAL SERVICES
RESOLUTION #287

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

Resolved, that the Supervisor is authorized to sign a payment processing agreement with FORTE Payment Systems to provide Online Dog License Renewals and Point of Sale Services to the Town Clerk's Office.

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

AUTHORIZE TOWN ENGINEER TO ISSUE STORMWATER POLLUTION
PREVENTION PERMIT – BELLAMY – 2338 BROAD STREET
RESOLUTION #288

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

RESOLVED, that the request for a full stormwater pollution prevention plan (#FSWPPP-041-17) made by Joe Bellamy for the construction of a single family home located at 2338 Broad Street is hereby referred to the Town Engineer to issue the full Stormwater Pollution Prevention Plan Permit.

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

AUTHORIZE TOWN ENGINEER TO ISSUE STORMWATER POLLUTION
PREVENTION PERMIT
PANBAR REALTY – CRYSTAL COURT
RESOLUTION #289

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

RESOLVED, that the request for a full stormwater pollution prevention plan (#FSWPPP-090-16) made by PanBar Realty, LLC for the construction of a single family home located on Crystal Court is hereby referred to the Town Engineer to issue the full Stormwater Pollution Prevention Plan Permit.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH SENSUS USE, INC.
RESOLUTION #290

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

BE IT RESOLVED THE Town Supervisor is authorized to sign an Advanced Metering Infrastructure Agreement with Sensus USA, Inc. for the installation of a Sensus M-4000 base station at the Darby Street water tank location at no cost to the Town. The additional equipment will increase the signal strength of the existing Sensus system in order to accurately pick up water meter readings.

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

Councilman Diana mentioned that according to the Receiver of Taxes, as of this September, taxes will be payable by credit card.

DURING COURTESY OF THE FLOOR, the following people spoke:

Ilan Gilbert, resident, wanted to discuss the figures for the Granite Knolls project. He understands that the bid figure does not cover the turf, pavilion, and lighting. The Town has the \$3.8 million and an additional \$800,000, as well as the \$1.5 million from the original negotiation. Supervisor Grace added in another \$70,000 for the building of the entrance on Stony Street. This adds up to \$6,170,000. Mr. Gilbert did some research that showed turf for each of the three fields would cost anywhere from \$800,000 to \$1.2 million. Supervisor Grace stated that is incorrect; that may be the cost for all three fields combined. Mr. Gilbert said even at that cost, it could be an additional \$3 million without the pavilion and the lighting. Now the cost goes from the \$3.8 million to \$6.8 million. Mr. Gilbert feels that potentially the entire cost could be as high as \$7.2 million. He is not saying that the Town should stop the project, but the costs need to be clear and understood by the public. If this money is at no cost to us, the money could also potentially be used for other projects.

Supervisor Grace stated that he received quotes for the turf from two vendors. The price on turf has come down since the Town had Legacy Fields done. The worst-case scenario for all three fields combined at Granite Knolls was \$1.1 million. When originally negotiating Spectra and now their parent company, Enbridge, the Town had a conflict of use between our use of Legacy Fields and their construction. They fought us and wanted construction to proceed while the fields were in use. We used our demonstrated need as leverage and negotiated a deal that combined that need with their activity. Supervisor Grace, stated that, yes, the Town could have put money elsewhere into other projects but doubts that the Town would have gotten as much because the Town would not be able to demonstrate as much need as we did with the fields. Supervisor Grace blames Councilmen Patel and Bianco who voted down the first opportunity to get this done. Councilman Patel disputed Supervisor Grace's description of events. Supervisor Grace stated that he and the Board feel that the impact of the creation of Granite Knolls upon the Town is deserving of the money set aside.

Jay Kopstein, resident, said it is a shame that the Town Board has to discuss open negotiations with vendors and put a price out there that now people can rally around. He stated that the Town is now at the beginning of the political season prior to the General Election. He stated that although commentary is appropriate during this time, accuracy and knowledge is important. Mr. Kopstein referenced a former Board member criticizing a department head for failure to pave roads, purchase capital equipment, or having adequate consumables on hand, when that former Board member voted down funding for such projects and purchases. Three commonalities exist when doing a budget analysis: do we really have a need, can we afford it, and can we get somebody else to pay for it. He then went on to talk about grant applications and the preclusion of supplementation – you cannot use grant funds for something that is already budgeted. Sometimes the Board is correct in delaying a project until a grant application has been approved or denied. Mr. Kopstein stated this Board should be commended for maximizing the use of grant funding.

A resident asked for an explanation about an event that happened on the Yorktown Post Office property. She stated that it disturbed her, as well as other people who were present. The Board did not have any knowledge of such an event. She stated that this was a “defend Trump” display by an individual trying to explain and support President Trump's actions. She said it was disruptive and blocked the entranceway.

Mr. Kopstein said that it was not on federal property, it was on the sidewalk in front of the post office

Supervisor Grace said it is a question of political speech, which he said was the freest of all speech.

The resident said that people were being approached and called over to the table. She also said that the police department provided this permit.

Town Attorney Michael McDermott explained that the police department issues permit for all types of assembly in the Town. It is virtually impossible to deny someone a permit based on political grounds. The Town has no authority to stop someone from delivering a political message. The Town can stop someone from demonstrating in particular areas, but the street and public sidewalk is within the parameters of the permit.

Mike Cioppa - President of the Amazon Park Homeowners Association, Joseph Restinelli, Vice President, and Dawn Cioppa, Treasurer wanted to thank the Board and the Town Attorney for their assistance. Mr. Cioppa mentioned that they had gotten more done in the last year than they had in the previous four years combined. They are looking forward to their clubhouse opening.

Dan Strauss, resident, talked about the events the Town holds, the good schools, the parks, and the trails. He is not in favor of all of the rezonings that seem to be taking place. They intrude on neighborhoods and always seem to pass. He questioned potential conflict of interest of an attorney in town, Al Capellini, being in business with the head of the Zoning Board, Gordon Fine.

Mr. Strauss also mentioned that this same attorney is also the attorney for one of the members of the Planning Board. All of the special use permits, and rezonings are very wrong – they do not work out very well.

Town Attorney Michael McDermott stated that Mr. Capellini is not in business with Mr. Fine.

Mr. Strauss stated the time he was referring to, Mr. Capellini had been in business with Mr. Fine. Supervisor Grace did confirm that they shared office space.

Ed Ciffone, resident, said that Spectra never said they were going to pay for ballfields. He said they were only paying for one acre of land. He mentioned \$5,578,000 in back taxes owed to the Town since June 2016. Mr. Ciffone wants to know if the Supervisor raised taxes since he began as supervisor in 2012 and if he is going to continue to say he has not. He also wanted to know if the Town has it in writing the money the Town is going to receive from Enbridge. The Supervisor told him that, yes, they did. Mr. Ciffone also went on to discuss the figures from the Garbage Request for Proposals that had been opened.

Gil Kaufman, resident, thanked the Board for the bathroom renovations being done at the YCCC building. He also suggested that the lighting at Granite Knolls could be funded with “pay for as you play” machines. He said they are all over the country and are very effective and do not cost the taxpayers.

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

Supervisor Grace spoke about the Kear Street project in response to a comment made by Mr. Strauss, as well as some of the other rezoning projects that he brought before the Board. As far as the budget and audit goes, Supervisor Grace said that we are in great shape and try to get third party money to pay for some of our projects, i.e., grants, and cited projects that have been done.

ADJOURN

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

DIANA L. QUAST, RMC
TOWN CLERK
TOWN OF YORKTOWN