

Zoom Teleconference Meeting of the Town Board, Town of Yorktown held on Thursday, July 16, 2020 held in Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor  
Thomas P. Diana, Councilman  
Edward Lachterman, Councilman  
Vishnu V. Patel, Councilman  
Alice E. Roker, Councilwoman

Also Present: Maura Weissleder, Deputy Town Clerk  
Adam Rodriguez, Town Attorney

#### TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

#### EXECUTIVE SESSION

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

#### PLEDGE OF ALLEGIANCE

Supervisor Slater led the Pledge of Allegiance.

#### MOMENT OF SILENCE

Supervisor Slater asked all to join him in a moment of silence to pray for world peace during such a tumultuous year, hoping that the rest of 2020 will be better than the first half of 2020.

#### INTRODUCTIONS

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

#### COVID-19 UPDATE

Supervisor Slater:

Today's active number in the Town of Yorktown is now 18. For those who were keeping score at home, that means that we've seen a pretty steady increase over the last week. I spoke with the Commissioner of Health for Westchester County this afternoon, Dr. Sherlita Amler, and I spoke with the County Executive's Office and really I wanted to make sure that the Town was taking the proactive and correct measures to make sure that we are protecting our residents doing everything we possibly can. I've been assured by health officials that this is not a Yorktown specific increase that they're seeing this across the region. When I spoke with Dr. Ambler today, she informed me the common denominator here is travel. I am reminding people that there is a list of states that if you are traveling to when you return, you have to quarantine once you return, but also remember that that virus can travel, it did travel. That's why it's here in our country now. We've heard the Governor talk about that quite often in his briefings, but the common denominator is travel. So please check the list. It's available on the State's Department of Health website; it's available on the town's website. And now the Governor has mandated that if you are returning from one of these high COVID states, and you have to fill out an electronic form and submit to the State Department of Health, that is available on the State Department of Health website, as well as available on the COVID-19 Community Impact page. So we still, despite the fact that we saw the numbers go down, we believe that it's going to be a bit of a roller coaster. I think it's important to anticipate seeing numbers go up and numbers go down. We've continued to provide as much information to the public to make socially responsible and intelligent decisions and it's not going to end for quite some time until there's a vaccine. In addition, we heard today from the states that fall sports are now going to be delayed at this point until September 21, at best. So as we're still going through the summer and looking into the fall, decisions are still being made with public health and safety in mind. And we will continue to do that here in the Town of Yorktown. So again, today's number of active cases total number is 18. Ten of those are outside of nursing home settings, which we've been trying to separate as part of our data for the residents to understand. But again, according to health officials from the county, no clusters in the Town of Yorktown; this is a county and a regional increase that they're seeing in other communities as well, but all linked back to travel. So please, for social responsibility, make those right decisions and understand that if you're going to one of those high COVID states, you are

putting yourself and other people in this community at risk. I'm not sure if anyone on the board and my fellow board members would like to comment on this.

Councilman Patel:

When you travel the virus travels with you; it multiplies and loves to go in your body and destroy your cell system and make you sick. So please follow all the government and local ordinances to keep yourself safe.

Councilman Diana:

Please be honest with yourself and your employers. If you are going to travel, let them know you're traveling and where you're going – not that they want to keep track of you but they want to keep the rest of their workforce safe. So if you're going to have to quarantine after that, you're going to have to quarantine. Please be honest with yourself and your employer.

Councilwoman Roker:

I heard an interview with the Governor today and in it he said we are at a low rate right now. He believes because of traveling it will come back up again – how high is dependent up people coming and going back. It's frightening.

Supervisor Slater:

I think what also he said was the first wave we still haven't even gotten through. Again, making those intelligent and responsible decisions – wear a mask, it's not hard. Making those smart decisions, again, because you're putting yourself and others at risk. Councilman Lachterman, did you want to add anything?

Councilman Lachterman:

Just something we've said quite a few times when we had some of our informational meetings and Q&As. You might not feel it's a big thing but it could be to your neighbor, it could be to that other person out there and if you're traveling and exposing yourself in any way, you need to really make sure you're safe.

Councilman Diana:

Keep your distance, keep your hand sanitizer in the car – you can pick this up from a shopping cart.

Councilman Patel:

I have been finding more and more masks in public places like at the gazebo. Please help each other – COVID affects all people. Don't leave home without a mask and care for each other and we will be stronger in the end.

### RESTORATION BID

Supervisor Slater:

We're going to begin with our work session. We have with us our Highway Superintendent Dave Paganelli, as well as our Water Superintendent Kenny Rundle; I want to thank you both for joining us. We had an incident over at Nutley Circle; we had a major water main break there, which was simultaneous with a fire in Jefferson Village. The water main break was severe to the point where the street was significantly damaged and required an extensive amount of work, which the Town was ill prepared to conduct and consequently, we are looking at ways to accomplish this. I am happy to report that with Highway Superintendent Paganelli's efforts we are going to be seeing the repairs occur next week.

Highway Superintendent Paganelli:

Yes, that is correct. Actually the genesis of this goes far past this particular instance; this is just the straw that broke the camel's back. Two years ago, Christmas Eve, we had a major water main break out on Route 35 - it wasn't even in Yorktown, but it's our infrastructure. So we were out there on Route 35 and the major reason other than specifically large breaks, which are going to require 60 or 70 tons of material to repair and, unfortunately, the highway department does not have a paver, and to spend \$290,000 on a paver for four times in two years doesn't seem to make very good sense. So we don't want to say we were ill prepared, we were prepared, but not for this type of scenario. So we had to go back out after spending Christmas Eve there, Kenny, myself, my crew, his crew, and go back out in the spring, redo the road and the State is still not happy with it. So basically, my feeling is the state has, when we had the same situation with the Algonquin pipeline on Route 132 by Strang Boulevard, that's a major issue there and they should have repaired that. Our little water

patch there is problematic. The purpose of going out to bid for these larger and, more specifically - how do I put it - the state has very specific requirements, basically, they want you to dig out and rebuild the road. The highway department is a maintenance department for the most part, we are doing thousands of feet of drainage, taking down twenty trees a month and we just cannot without the right equipment do this kind of work as well. So, Kenny, and I've been working on it for quite some time. It's been well over a year that we've been discussing this and the hope is that we move forward now and we end up with a situation where he has somebody on emergency call out when there is a break of this magnitude, they can come out and they have the proper equipment to take care of the job. So that's it in a nutshell.

Supervisor Matt Slater:

That's why we wanted to bring it to the Board. In regards to Nutley, we tried some creative solutions to utilize existing contracts, but ultimately we believe it is important for us to have our own. I failed to introduce our Comptroller Pat Caporale who is with us as well. Any questions or comments from the Board on this matter?

Councilwoman Roker:

It's a good thing to do, Matt.

Water Superintendent Rundle:

Just a little history, the water district always did their paving when we had a water main break; we always did our own black topping. In 2008 – 2009 that was changed over and we would bring the road up to grade and the highway department would pave it. To Dave's point, there are some spots that are just beyond the scope of what we can do – they don't have the equipment or tools needed to get that job done. So that's why we have been working together and requesting to go out to bid to have a contractor on standby that is suitable to do this type of work.

Councilwoman Roker:

Kenny, what you said and Dave said makes absolute sense.

Water Superintendent Rundle:

For the most part on the our breaks, the Highway does a great job and they always help us out, but we do have some water main breaks that are severe and it's just beyond their scope. And I don't want to talk for Dave, but I think he feels the same way as I do.

Highway Superintendent Paganelli:

Absolutely, we don't want to go out there and spread 60 to 70 tons of asphalt by hand.

Councilman Patel:

Route 35 was a problem between the State Road and Town Highway and was all very complicated.

Highway Superintendent Paganelli:

That was part of the genesis for Kenny and I working together and working with Supervisor Slater who was somewhat anxious to get Nutley Circle done. I think that Yorktown is moving in the right direction in terms of recognizing what we're capable of handling in-house and certainly making sure...our water department does a fantastic job. They work under extreme circumstances, we've been out there with them in snowstorms, and oftentimes they're out there without us because we're in a snowstorm. That being said, we couldn't be prouder of the work that they do. So, we don't want to kill the labor force, in essence.

Councilwoman Roker:

Do you have three quotes?

Highway Superintendent Paganelli:

Yes, of course. Let me explain exactly why we've had this delay. It's very difficult to get three quotes and the primary reason being is prevailing wage. Nobody wants to quote prevailing wage. They just don't want to be bothered. It requires notarized payroll and a specific way of doing it. The Comptroller can speak to that. She's a stickler about that in particular, and rightfully so. She protects us from being in a litigious situation, but it was very hard to get anyone to come out. We worked on it, the Comptroller, myself, Kenny, and Matt, and we tried to piggyback on another municipality, and we couldn't get that person to give us a quote. So actually, the three quotes we got weren't even

in the plan that we were traveling down; we were traveling down the north lane, and we ended up taking something from the south lane.

Comptroller Caporale:

Yes, at least we got the three quotes. So we're good to go with Nutley.

Supervisor Slater:

From my standpoint, and recognizing the history of it, it was fixing Nutley and figuring out moving forward how we can make sure that we don't find ourselves in the same situation if it did arise again. So working collectively, with our Comptroller, our Highway Superintendent, and our Water Superintendent, we believe this is the best course moving forward and we wanted to bring it to the board and see what the board thought collectively.

Councilwoman Roker:

Who'd you get the quotes from?

Highway Superintendent Paganelli:

I don't know if I should say that on air.

Supervisor Slater:

The three quotes are within our policy and what we're asking for is to basically direct the Town Attorney to craft an RFP for this work moving forward.

Councilwoman Roker:

Okay.

Highway Superintendent Paganelli:

We have another municipality's bid and we would like to have our Town Attorney put his signature, not in terms of his actual signature, but his wisdom to make sure all the T's are crossed and the I's are dotted.

Councilman Lachterman:

We should definitely move forward. I know Dave has been talking about this since the Route 35 break was huge.

Councilman Patel:

So what are we looking for? Because you don't know how long the job will last and how much quantity of material. The rate we know now for the RFP.

Highway Superintendent Paganelli:

It is a rather complicated bid. There are multiple levels. For instance, Nutley Circle is a prime example. Nutley Circle, a lot of water got under the roadway, so we have some areas of disturbance that are merely top, which is the top layer of asphalt which needs two inches. Then we have layers where it's into the binder, which is the binder layer which could be anywhere from four to six inches. We have in that same 100 feet of roadway by 32 feet wide where we have this damage we also have damage to the sub base and the base itself. I have inquired among a number of people who do this for a living because this is not my area of expertise so I always defer to experts, and they have told me that time and material is the worst thing we can possibly do because we will get totally hosed on that. So we'll have to take off the bed that we have and sort of figure out what the best scenario is with the advice of legal and with the advice of people that do this restoration work and every job is different.

Water Superintendent Rundle:

I was just going to add that point. There's probably not going to be two jobs the same so I can imagine it's going to be very hard to be that specific because one job may require six inches of asphalt, one may require three inches of asphalt, so we just have to keep that in mind.

Highway Superintendent Paganelli:

That's 100% correct. For instance, what we're doing out on Nutley – we could certainly have gone out there, I could have borrowed a paver, and we could have thrown two inches of asphalt on it. What's going to occur based on the bids that Kenny and I received is going to be a six inch dig out of the item four that is there, which water brought up to the surface, and has been maintaining to sort

of keep it somewhat smooth for the residents. There'll be four inches of binder and two inches of top. So that particular situation, even though there are three different levels or four levels of disturbance in that surface, this is what needs to be done to make it correct – take it down six inches and rebuild it up six inches.

Councilman Diana:

That situation is kind of like the one at the bottom of Stoney Street where an 8 or 10-inch main let go and sent about 100 yards of blacktop down the hill.

Highway Superintendent Paganelli:

We ended up repaving that because we blamed Algonquin for that and they actually gave us money to repave that. We maintained that their traffic over the road was what caused that damage. We had a truck fall into that hole and he was backing up to salt it and as he was backing up the back wheels just dropped into the hole. Where he fell in was probably 20 yards away from where the hole itself was. Water works its way around when it finds its path of least resistance it often goes.

Supervisor Slater:

All right, so then we will move forward and have the Town Attorney work with our department heads so that we can put together an RFP that we can send out.

ROAD RESTORATION SERVICES BID  
RESOLUTION #240

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

RESOLVED, the Highway Superintendent and Water Superintendent are authorized to bid for Road Restoration Services.

Slater, Diana, Lachterman, Patel, Roker Voting Aye.  
Resolution adopted.

Highway Superintendent Paganelli:

Thank you.

Water Superintendent Rundle:

Thank you very much and thank you to Dave and thank you to Pat because I know it just goes unnoticed and I know they spent a lot of hours trying to put this together. I certainly appreciate your help and support.

Councilman Diana:

I'm just wondering if we want to extend that particular bid for those particular incidences but also for the other ones that pop up that would kind of free up Dave's crew to do other the things instead of having to run and patch up water main holes.

Highway Superintendent Paganelli:

A lot of the smaller work is not a problem. We had a valve patch on Stoney Street – I'm certainly comfortable doing the smaller work and we respond very quickly. I know we had a problem out on Mill Street recently where there was a break, but certainly it could be added in there – it's not a bad idea. The problem you're going to have is nobody is going to come out to put down one ton of asphalt – that's the issue. I don't know how you could even incorporate something so little; just mobilization alone would be a killer. It certainly is a good suggestion; it just adds two or three more levels – a minimum call out, they're going to pay us this much, etc.

Councilman Diana:

Yes, but the time you get it all figured out...if they could cobble a half a dozen of them together but we don't always have them go like that.

Highway Superintendent Paganelli:

That's exactly it.

Councilman Patel:

The infrastructure is so old and there are more houses and it will require extra special [attention]. We have to start replacing some of the pipeline. This is very important. You don't know when the breaks will come.

Councilwoman Roker:

I think you should remember that when we get to budget time, Vishnu, because I think that's what he's always talked about; he needs money for it.

Councilman Diana:

And I think Kenny can speak to that at this point on what he has been doing out there.

Water Superintendent Rundle:

Absolutely. Right now we're being reactive and it's certainly our intention to be proactive. These infrastructure jobs require a lot of funding, as everybody well knows. If we can find the funds, we can certainly do the work.

Councilman Patel:

Emergencies and lost water cost money. It is our job to tell you how you can get the money.

Councilwoman Roker:

Kenny, you need to write down this date when you have your budget conversation.

Highway Superintendent Paganelli:

I would like to speak to that because we, in Highway, are experiencing the same problems that Kenny and the Water Department are experiencing and that Ed Mahoney at Sewer is experiencing – deteriorating infrastructure. We have, literally, over 1,000 miles of drainage pipe in our town with an average age of 55 years old. This is corrugated pipe, which has a life expectancy of 30-35 years. What we're trying to do to be proactive, for instance, is our intent to pave Barberry Road this year – there's major drainage issues out there. We've already put in around 1100 feet of pipe out there so that once we pave that road, we won't have to go back and dig it up again, which is rather disturbing. We've been coordinating with Con Edison on Granite Springs Road putting band aids on that 375 feet of pipe there that needs to be done so that once Con Ed is done with their work, they abandon their 8-inch main and go to their 12-inch – they abandon-in-place because it's right below our drainage – then we will be able to do that drainage and then Con Edison will pay to pave that road. It's always kind of thinking ahead.

Councilwoman Roker:

One thing, Dave, and I think I've talked to all of you guys about infrastructure, I think at some point there will be some money coming from the government for capital projects. The good thing is if you start putting together some of what you'd like to do, that might get us a head start – might get us to the front of the line. Am I right, Matt?

Supervisor Slater:

You're right and that actually dovetails nicely into our next conversation regarding our needs assessment and when we're ready to begin that, I have Scott Siegel who I know is joining us. I want to thank Ken and Dave and feel free to stay on and listen to what Mr. Siegel has to say and how we can address those infrastructure needs.

#### LABERGE GROUP – NEEDS ASSESSMENT PRESENTATION

Scott Siegel - Community Development Manager

Supervisor Slater:

Scott, are you there? Thanks so much for joining us.

Mr. Siegel:

I'm here. I'm happy to do that.

Supervisor Slater:

You just heard we have the Tier 3 infrastructure and we need the funds to go ahead and address it. I understand we had asked the LaBerge Group, which Scott Siegel is a part of, to do a needs assessment; something that was performed by in-depth conversations with our department heads

across the board and has provided a report to the Board that provides quite a few options for us to pursue. Scott, why don't you explain to the public what process you took part in and what the results were and what we can do to move forward.

Mr. Siegel:

I'd be happy to. Thank you very much, all of you. I appreciate the opportunity to be with you this evening. I have a habit of trying to keep my remarks very short and brief – everybody's got more important things to do, I'm sure. I assume everyone has received a copy of the assessment that we sent to the Supervisor. The process was we came in right around the time that the pandemic hit so things got a little confusing, but fortunately my colleague Ben Syden and I were able to come down and meet in person at one of your Board meetings, as you may recall, back in February or early March just before this all happened. Thanks to the miracle of technology, we were able to do the assessment, the interviews of your department heads virtually – the way we're doing this right now – and it worked out spectacularly. If you don't mind my throwing in a quick "hurray!" for your department heads, you are very, very lucky. You have some incredibly talented department heads, very, very knowledgeable with tons of experience. I deal with a lot of communities and if you don't mind me saying and no offense to some of the other communities I work with, Yorktown has an all-star cast of folks and it's something to be very proud of.

So what we did is we sat down and reviewed in depth a lot of projects with the department heads. As the Supervisor mentioned and the other folks on the call here – Ken and Dave – there are tons and tons and tons of projects. For Yorktown, the sky is the limit on – I wouldn't even know where to start most of the time from looking at this. We identified what some of the issues were by department and where we could look to secure funding for some of the more immediate needs. As you go through this assessment, you'll notice there's a narrative section at the beginning with each department that we spoke with, what we talked about, what they identified as some of their immediate needs, and then we made written recommendations as to how we felt best to approach some of those situations. The crux of this document is the last section, the matrix, which is the section that looks like an Excel spreadsheet. I tried to break it down as best as I could each department, each project, and which specific funding source to go to. This is meant to be a roadmap; it's a guidebook to where are we ready, what project are we ready to tackle, is the project in here and if it is, where are we going to go to get it, what agency is it, how much can we get for it, what's the match requirement going to be, when is it available. All that information now, of course, is historically speaking because, as we are aware, the grant world has shut down as well. Nothing has been going on, unfortunately, much to my detriment. We are keeping an eye on as many things as we can. The only sources of funding which seem to be coming available now are pre-determined law enforcement allocations and those are for the larger counties and cities in New York State and it's mostly federal funding. CFAs have not been announced yet this year. Our latest rumor is that they may open in August. I'll be very blunt and honest with you – I am not convinced that's going to happen. There was an article published up here in my neck of the woods that said CFAs may not happen this year. The very fact that this was published in a widely read periodical leads me to believe that that was done intentionally to kind of prepare folks that it may not happen this year. I have about a dozen clients right now that we are actively working on CFAs for this year. For those that we are doing CFAs, we've made it known that any work that is completed if the CFAs don't open, we are going to retain that and will make them complete and we will hold on to them and submit them at no cost in the next round that opens up. The vast majority of the opportunities in this matrix are CFA related. There are a few that are not; particularly in the Planning Department, Dave in the Highway Department, and Ken in the Water Department should know the number of grants that are outside of the CFA cycle that the Town has a history of going after, so you're certainly no stranger to those; the water grants, records retention and management grants. I'm kind of hoping that those will still be out – they're generally federal funds so, hopefully, that's already allocated and we'll be able to hit those in the fall. Today, the Governor announced an initiative to do an EV Make Ready, allocating several millions of dollars to EV infrastructure. The mechanism for that has not been set up yet, but you can bet we'll be keeping an eye on that one. When that's available, we'll put that on the top of Yorktown's list and as soon as we have available information, that will be going your way.

In a nutshell, that's the assessment end. I don't like to talk too, too much. If there's any questions, I am more than happy to answer them or I can address the proposal that was sent.

Supervisor Slater:

Would you be able to talk about the applications that have been submitted? I know you reviewed some of those applications and if we're able to build on those.

Scott Siegel:

Yes, we can definitely build on some of those. One in particular is the LWRP (Local Waterfront Revitalization Program). It is hard for me to get an idea – Nicole in our office is the LWRP expert; we also have one of my staff, Matt Rogers, who is incredibly well versed in the LWRP program. They spent more time looking at that and they are very confident they can patch that up in a way that will get it awarded. I do not know, off the top of my head, what they felt was the weak part of it for some reason or why it didn't get funded – a lot of times it may not be anything. Sometimes I think there's like a big bingo wheel that they turn and that's how sometimes these grants are awarded.

Supervisor Slater:

Can you explain to the folks and the Board what an LWRP is?

Scott Siegel:

Absolutely. The LWRP is run through the NYS Department of State; it is a local waterfront revitalization program. The first step is usually the development of a local waterfront revitalization plan. Once you have a plan in place for that – I know we had spoken about Mohegan Lake, Sparkle Lake, Osceola Lake – we are still internally are still discussing if we were to approach that from a combined perspective or if it would be better to look at each one separately.

Supervisor Slater:

Right – that's where we left off.

Scott Siegel:

We're working on what's the best angle to approach that on in terms of ensuring an award.

Councilman Patel:

Most of these grants are matching funds. Do you know how much the grant is from the beginning so we know to have money in the budget?

Scott Siegel:

Yes, for example, the LWRP is a maximum award of \$2 million and they'll cover up to 75% of the project cost. I don't know how much a local waterfront revitalization project would cost. We would have to go out and we could certainly come up with a cost estimate for you. You would probably want to go out to bid for different quotes and estimates for what a plan like that would cost. Whatever that is, the LWRP would fund up to \$2 million and up to 75% of that.

Councilman Patel:

Is that one year, two years that the project has to finish?

Scott Siegel:

The LWRP is a multi-year project – it's either three or five years.

Supervisor Slater:

Can you explain to the Board, through your experience with the LWRP, what positives would we be able to look at through an LWRP for our waterways?

Scott Siegel:

As I said, the initial step with an LWRP, is to do a local waterfront revitalization plan and that plan, as most projects go, is your roadmap. That's going to be the document that identifies everything that needs to be done or you would like to be done for your waterfront. It could be everything from environmental protection, it could be infrastructure that needs to be either in place or possibly removed in some cases, it could be economic development that can occur around that area, it can have to do with fish and wildlife sometimes. So when you're talking of planning, that's kind of what you're looking at and then once you have the plan in place, that puts you in a position to go back to that same program in subsequent years to obtain funding to implement the items identified in that plan.

Supervisor Slater:

Any questions from the Board on what Mr. Siegel is describing?

Councilman Patel:

We have a big problem with old infrastructure with water distribution and the sewer. Is there anything available to us right away for a project like that?

Scott Siegel:

Here's what I'm going to tell you about that. In terms of grant funding, like I said, I'm hoping the New York water program stays alive this year. That's going to be big and that's definitely going to be your base/ground level – you don't want to miss out on that. If you have water infrastructure that needs to be addressed, you have to put in for that. There's also low-cost financing involved with both the clean water and drinking water state revolving funds and that's something you may want to consider. You do want to show that the Town is willing to invest, so in your budget, depending on how you do your budget, it is incredibly helpful to have a line somewhere where you can show you have money, cash on hand, to devote to a certain project. Whether you end up using it or not, that's a different story, entirely; but to show that you have it there scores points on grant applications. It shows that you are ready to go to do something. It sounds like your water projects are vast, so I would recommend looking at a very strategically phased approach to how you do that so you're looking at two, five, maybe ten years out – what you need done today versus what can wait a few years. Get in the habit of budgeting down the road to make sure you have something available or at least to show that you have the commitment.

Councilman Patel:

Water use is going up all the time and the number of people living here has increased that puts a burden on the infrastructure. We are using more water due to COVID – washing hands, using the bathroom more. We need filtration and distribution money. One way to get it is to charge a few cents more a year and to educate the people to use less and save more. Maintenance of the pumps and stations is very expensive.

Scott Siegel:

You hit the nail on the head. It's more important now than it ever was, not just for you, but across the board – for the whole country.

Supervisor Slater:

For water, you have on here cleaning and relining of cement water mains, water storage tank rehabilitation, asbestos and cement water main replacement project. You've identified the funding stream, clean drinking water, infrastructure projects, water quality protection. The anticipated due date of an application is, we're hoping, this fall. The minimum match requirement is 40% up to \$3 million – that's what is on the spreadsheet. Obviously, that would be very helpful for us from a planning standpoint to address some the things Councilman Patel has spoken about.

Water Superintendent Rundle:

As far as the cleaning and relining, as far as I understand, if you have a shovel-ready project, you're apt to get the funding faster. We have a project for the cement relining, which is shovel-ready project. Plans have been drawn up; it's just that we're looking for the funding. To Councilman Patel's point, the water usage in just the last couple of months has been record usage for water distribution. We're just pumping out so much water – everybody's home, it's a nice warm day and they're topping off their pools, and sprinklers are going. Yes, we are using a lot of water; we do have shovel-ready projects that we're just waiting on funding and they're ready to go.

Scott Siegel:

Great. Your engineering reports are all in place and lined up?

Water Superintendent Rundle:

Yes.

Scott Siegel:

Now from the Town's perspective, do you have any available funds in your budget or possibly will in the near future to put towards that project?

Supervisor Slater:

We have our Comptroller with us, so feel free to jump in on that question, Pat.

Water Superintendent Rundle:

I don't think we have the money to do these projects. The one project I'm referring to is the cement lining and cleaning of the water mains. In total, it's probably about a \$3.5 million project. The last time we got estimates were in 2016 dollars, so it might be closer to \$4 million but we broke those up into sections so maybe one year we could spend \$1.2 million and the next year we do another little section; then in a couple of years the project is completed. If we have a source for funding, we may want to take a look at doing the whole project.

Councilwoman Roker:

You would be willing to do it in phases?

Water Superintendent Rundle:

Absolutely.

Councilman Patel:

There may be some federal money for this because of COVID. At the same time, interest rates are so low, so borrow a little and pay it back. You have to bring the money and how to bring the money is either to increase assessments or increase the rates. People pay more to buy bottles of water. Water is not cheap.

Supervisor Slater:

Thank you, Councilman. Scott, is there anything you want to add?

Scott Siegel:

Just to Ken's point, whether you decide to tackle that project as a whole or whether you decide to phase it, in terms of the WIA program – I'm just going to stick with that one for now – whatever approach you decide to take, the WIA program for drinking projects will fund up to 60% of it. So if that helps from a budgetary standpoint to decide what can be spent. If it's a million dollars to do a certain section, maybe you can find a way to get \$400,000 to put towards the project and they'll fund the other \$600,000 – the lion's share of it. Sometimes that helps and we do recommend that phased approach from a strategy standpoint to help keep the costs manageable.

Supervisor Slater:

And that phased approach, from your standpoint, would you be willing to work with our finance department and our Comptroller to make sure that we're aware of what our financial obligations would be in that type of scenario?

Scott Siegel:

Absolutely, and the other thing to keep in mind with WIA is that they do require a bond resolution, so you'll have to work with counsel because they do like to see that, even if you're not awarded, the commitment that says "okay, we're ready to do this; we're ready to bond the money if you're not going to give us any." We also know that that doesn't mean you actually have to go through with it.

Supervisor Slater:

According to your proposal, drinking water infrastructure improvement – for preparation of that type of grant would be \$4,000 plus expenses – is that correct?

Scott Siegel:

For WIA that is correct.

Councilman Patel:

We get the water from Joint Waterworks, and that is a very big tank, and then it suddenly malfunctioned. It was a \$2.2 million price tag that was paid for between Cortland and Yorktown. It was done by bonding. Councilman Patel suggested something similar could be done.

Supervisor Slater:

That's why it's important that we have a comprehensive conversation, including our finance team, in making any of these decisions because they're the ones to help us find the money to invest in these projects. Scott, I'm looking at the proposal and other ones that were identified – planning and improvements at Mohegan Lake, Sparkle Lake, and Osceola Lake – that's the LWRP, as well as the

EPF (Environmental Protection Fund). Just going back to that – that’s a \$4500 grant development fee plus expenses.

Scott Siegel:

That’s correct. Just so you’re aware, the particular projects that are identified specifically on the proposal letter are just simply the projects and the grants, quite frankly, I identified as the “lowest hanging fruit” out there for the Town. Most of these projects are ready to go for the Town; as Ken mentioned, some of the water projects are ready to go. The horizontal grinder, for example, sounded to me as if the Town had to make that investment one way or another anyway. That happens to be open; I could literally hit the ground running on that as soon as you tell me you want to.

Highway Superintendent Paganelli:

Let me ask you – that would be a DEC grant? I believe there’s money from the DEC, as well.

Supervisor Slater:

It’s the Waste Reduction and Recycling Program that we’d be able to tap into and it would cover 50% of the cost but my question to you, Scott, is the Town would have to invest the initial \$400,000 and get reimbursed for the other half?

Scott Siegel:

That’s correct and the crux with this particular program and, Supervisor and Dave, we had touched upon this when we spoke, is that there’s about a four year wait list right now. So, yes, the Town would make the initial investment. Based on the information I’ve been given, it sounds like that piece of equipment is 100% eligible. So, yes, ideally, that program would cover 50% of the cost, but it would take about four years to see that.

Supervisor Slater:

To see the reimbursement so the question would fall to finance about spending \$400,000 on a piece of equipment. From a budgetary standpoint, do we have \$400,000 to spend on a new grinder, which then we would be reimbursed half? So, Scott, I know you’ve identified a couple of others – 7 in total – how does that work with your proposal? The Town can decide – we can pick and choose; it’s like a menu?

Scott Siegel:

Correct. There’s a few different options that the firm employs for this type of thing. The first one being, we call a GSA (Grant Services Agreement). This is what your neighbors in Dutchess – the Town of Pawling – did.

Councilman Patel:

Your fees – do we have to pay you up front before the grant is approved or when the project is done?

Supervisor Slater:

Explain to us, if you can, Scott – continue. Then you can answer Councilman Patel’s question.

Scott Siegel:

A GSA agreement is rather unique – it’s something only LaBerge does, to my knowledge, until somebody steals it from us. What that is, is we enter into an agreement with, in this case the Town, for a pre-determined amount. In this case, it would be \$31,000. Generally speaking, the assessment part is worked into the GSA; they go hand in hand. The assessment was \$5,000 so it narrowed this down to the remaining \$31,000 on what is a \$36,000 contract. The \$36,000 contract – what that does is enable the Town to essentially book \$36,000 into the budget towards these activities. That doesn’t mean you’re spending that much money, nor does it mean that we are actively working on things without your approval. The way the GSA works is the money is in your budget; if you say “we want to do the water project” for example, we would issue you an ATP (authorization to proceed) based on that contract. We don’t do any work without signed authorization by the Town, in advance. The neat thing about the GSA is that there are some ancillary hours. Each grant you want to go for is a predetermined amount, just as it says on this proposal. So you say, “Scott, we want LaBerge to do a records management grant this year.” We would go to your GSA (your contract) and say okay that is \$5200 to do that one, we send you an ATP, that \$5200 comes off the \$36,000 that you booked before. Now if you don’t authorize that much work in the course of a year, you don’t spend all that money and that’s something that’s very attractive to the communities I talk to. I have a number of communities that take that route and one of the nice things is that they control

whether or not that money gets spent. There are some instances where the GSA entails ancillary services such as constant monitoring and surveillance and reviewing of things, maintenance, regular updates to the Town as to what we've done, what's going on, more detailed things. Those are billed at an hourly rate, but it still keeps the cost down. The next option is to do contract addendums. What I mean by that is we have an existing contract with Yorktown to do the assessment, so if you wanted to do just the EMWRR for the grinder because you really want to get this in and get your place on the waiting list, we could do an addendum to the existing assessment contract and just keep going that way and just keep adding addendums as you go. The last option is just a straight hourly contract for the same amount - \$36,000 – and there's really no strings on that one; it's just that whatever we do is billed at an hourly rate. You would tell us, after picking one of these opportunities, to go and do it but it's not a flat fee up front. It's however many hours it ends up taking is what you would end up getting billed for.

Supervisor Slater:

Scott, what happens – and I think this is the question I've heard the most – what happens if you put in 5 applications and we get “skunked”? It's one thing if we spend \$36,000 and get \$300,000 back – a great ROI (return on investment) – but if we spend \$36,000 and we get “skunked,” what happens?

Scott Siegel:

It hasn't happened.

Councilwoman: Well, you're not...you can't tell us ahead of time. I have a question. New York State – we already know they don't have any money, so do you think they've got money for grants?

Scott Siegel:

No, I don't. That's my honest opinion; someone else might give you another answer.

Councilwoman Roker:

I agree with you.

Scott Siegel:

But that's why my personal belief is that there will not be CFAs this year. I could be wrong; nobody knows. Everything is up in the air. Everything we're dealing with – you know, firsthand, with everything you do. This is unheard of, it's unprecedented, no one knows what's going to happen.

Supervisor Slater:

Let me ask you this – how quickly could you pull...say August 31<sup>st</sup> the Governor holds a press conference and, boom, we're opening CFAs. CFAs are going to open and you can put your applications in – how quickly can you pull it together?

Scott Siegel:

If we have six to eight weeks before the application's deadline, we can pull a couple of applications for Yorktown together pretty quickly.

Councilwoman Roker:

Okay, let's ask the other question. Let's say we decide to sign a GSA with you and there is no money this year, does that just roll over into next year?

Scott Siegel:

Essentially, yes. That's wheelhouse. The money's in your budget so if you don't spend it, you do with it what the comptroller decides – she might put it into the next year. The contract might be on an annual contract so let's say, hypothetically, you wanted to enter into an agreement this year until the end of the year. You're a town, so January through December is your budget. So probably, because we would like to stay on your budget cycle, we'd keep the amount the same (say \$36,000) through the end of the year. So we would enter into an agreement from August to December 31<sup>st</sup>. Come January 1<sup>st</sup>, with your authorization, we would just start that process again with January 1<sup>st</sup> through December 31<sup>st</sup>. Again, at the end of the day, it is entirely up to you whether any of the money actually gets spent and what it gets spent on.

Councilman Lachterman:

Just to jump back to that question of a “what if” scenario – what is your current success rate?

Scott Siegel:

Two hundred fifty million (dollars) in the last ten years for winnings. Last year, I think it was seven out of thirteen. I have a couple of clients who are just hell-bent on putting in as many applications as they can, even though I have mentioned in the past you don't want to compete against yourself because that isn't going to help anybody. I always recommend that when it comes to CFAs, in particular, you want to be very strategic about which programs you're putting in for and which agencies represent them and what are your real, real chances of winning those funds.

Councilman Lachterman:

It sounds like a very lofty amount - \$250,000,000 in ten years – but that could have been two grants. Do you know the win-loss ratio?

Supervisor Slater:

Didn't you say seven out of thirteen?

Scott Siegel:

Yes, I believe it was seven out of thirteen last year.

Councilman Lachterman:

That was last year. What about the ten year spread? Do you have any idea?

Scott Siegel:

I've only been there a little over a year. I'm sorry, but I can absolutely get that for you. I just don't have that information available, but I can absolutely get it. That's a very fair question.

Supervisor Slater:

Any other questions from the Board for Scott?

Councilman Diana:

Does this need to go out for an RFP?

Town Attorney Rodriguez:

The contract was for \$5,000 and for a different type of service. This is a different type of service and at the \$31,000 amount, it would fall under the procurement policy and it would require an RFP process.

Scott Siegel:

If I'm not mistaken, didn't you already do the RFP for it? Didn't we already submit a proposal?

Councilwoman Roker:

Yes, we already did that. Yes, you did.

Supervisor Slater:

We did not do an RFP on this.

Comptroller Pat Caporale:

I don't have an RFP on file.

Councilman Patel:

Are you familiar with the Water Now Alliance Policy – the organization? They were going to have a big conference at the University of Pennsylvania and I was going to go but then COVID came and now everything is online. Are you familiar with this thing – there may be money to do exactly what we need and more. This is a national organization.

Scott Siegel:

I can honestly say I am not familiar with this.

Councilman Patel:

You should look them up.

Scott Siegel:

I will definitely do that.

Supervisor Slater:

Scott, if we decided based on the menu option to take two of these grants and it still came in under \$15,000, would that be something you'd be open to?

Scott Siegel:

Yes, you may absolutely select piecemeal, a la carte, at the rates that are identified here.

Supervisor Slater:

Thank you; that's helpful. Any other questions for Scott Siegel from the Board? This is great, Scott. This is very good work and very, very helpful.

Scott Siegel:

I am always available; please don't hesitate to reach out. If I don't know an answer, I promise I'll get it. Ed (Lachterman), I will be looking up that information to send to you.

Supervisor Slater:

Thank you, Scott. We appreciate your time.

### SUSTAINABLE WESTCHESTER – COMMUNITY SOLAR PROJECT

Supervisor Slater:

Next we have on our agenda Sustainable Westchester. We're going to have a presentation from Nina Orville. Nina, how are you? Thank you for joining us. Nina is from Sustainable Westchester and she was invited here tonight to share the Sustainable Westchester's solar participation.

Nina Orville:

It's my pleasure. I'm very happy to be with you this evening. I have had the opportunity to do a presentation in the Town of Yorktown regarding community solar but not yet to speak with the full Board so I'm really pleased to be hear and thank you, Supervisor Slater, for inviting me to join you.

*Ms. Orville began a slide presentation.*

I'm going to review some opportunities that are available to the Town of Yorktown for community solar through Sustainable Westchester. Just briefly, I think you're all familiar with Sustainable Westchester – it is a not for profit organization. Essentially all the municipalities, with the exception of Buchanan, are members.

We have a number of different programs.

#### Programs:

Renewable Energy – Westchester Power, Community Solar  
Clean Heating & Cooling – HeatSmart

Clean Transportation – EV (electric vehicle) Program

Zero Waste – Recycle Right app

#### Community Solar Opportunities:

1. Community Outreach
2. Municipal Enrollment
3. Participation in Westchester Community Solar Partnership

#### Overview: Community Solar

1. Solar electric panels are installed off site to produce renewable energy for subscribers
2. Most utility customers (residential business) in the area can subscribe.
3. Subscribers receive community solar credits on their utility bill and pay owner of solar farm a discounted amount for the credits.

#### Subscriber Benefits:

Vetted Enrollment Opportunities Offer

- 10% Savings
- No upfront cost
- No solar installation

- Support new solar development
- Available to almost all residents, houses of worship and some small businesses
- No fees, ever, or penalties for cancellation
- Compatible with any energy supplier

How Billing & Savings Works:

1. Solar energy produced appears on your monthly utility bill as a “credit” up to the amount of your NYSEG electricity bill
2. Via autopay from your bank account, you pay a discounted amount for these bill credits
3. Each month you save 10% of the amount of the community solar credit.

Ms. Orville:

Sustainable Westchester has set up a community solar marketplace to sign up, which is accessible through our website and this lists all the different community solar enrollment opportunities that are available, both for Con Ed and for NYSEG customers. It is a simple enrollment process people go through. It is all done online. It takes on average about 7 minutes, from start to finish with an online signing of the agreement. Are there any questions regarding how community solar works before I go into a little more detail about specific opportunities available for the Town?

Supervisor Slater:

Nina, if I could just mention that we also have with us Swarnov Pujari who’s the chair of our Climate Smart Communities Task Force, and I know you met with the CSE, as well. I was with one of the CSE members today, Bob DeAngelis, talking about the recycling app that you’ve developed, which was a great presentation, as well. Swarnov, anything from the CSE on what we just saw?

Swarnav Pujari:

I don’t think we spoke directly with Nina, but we did speak with an individual a few months back from Sustainable Westchester and unanimously, on our side, believe there is a positive benefit for the Town for community solar or even exploring CCAs. Of course, I’ll leave that to Nina to present and dive into more of the technicalities and I guess we can take it from there. We are definitely in support of this.

Nina Orville:

I know you have a very active committee in Yorktown, which is a central of what makes this next opportunity that I’m going to talk about really effective. The first opportunity is the opportunity to partner Yorktown and Sustainable Westchester in bringing community solar more easily to your residents and eligible residents. The reasons to do this are: *(continuing with slides)*

#### 1. Community Outreach Opportunity

Why?

- Community education – reduce confusion about community solar
- Help residents save money (up to 10% of electricity bill) through vetted opportunities
- Further sustainability goals of access to renewable energy benefits for all
- Can advance participation in Clean Energy Community and Climate Smart Communities programs

How?

- Partner informally – share information with community
- Join in campaign (similar to Solarize or Energize) collaboration of Town and Sustainable Westchester
  - Sign simple letter agreement
  - Share information provided by Sustainable Westchester, collaborate on virtual workshops and outreach
  - Use funds generated through campaign (\$50 for each person who enrolls) for local sustainability priorities

Councilman Lachterman:

Is it limited to how many people can go in?

Nina Orville:

No, it's not. The only limitation we have relates to the solar capacity that we are enrolling people in. Initially, we're working with a solar developer currently in NYSEG territory – we're helping enroll three large solar farms for that developer and they have more that are coming. We can work with additional solar developers, as well. We have lots of capacity there. In Con Ed, we've worked with a host of different parties in Con Ed – solar developers and third parties. One of the things we have happening now is a solar developer who we enrolled folks into projects they have in Port Chester and have 20 megawatts coming in now throughout Westchester County. As long as we have projects, we can enroll people.

Supervisor Slater:

Is that 20-megawatt project in Port Chester?

Nina Orville:

No. That 20 megawatts is a portfolio of projects across Westchester County. We have about a megawatt and a half that should be posted in the next day or so in Yonkers. So those projects are coming along in sets. (*Continuing with slides.*)

## 2. Municipal Subscriber Opportunity

- Benefit from 10% savings on solar credits for municipal accounts
  - Small accounts – same agreement as residential (Bedford and Lewisboro have enrolled).
  - Large accounts (for NYSEG Accounts) – Anchor agreement (Bedford and Lewisboro LOI)
- Process:
  - Provide NYSEG and/or Con Ed account information so we can complete analysis for the Town (eligible accounts, savings, etc.). Town can then decide how/if it would like to participate.

Swarnov Pujari:

Quick question, Nina. Do you guys know if NYSEG and Con Ed might be able to provide smart meters as part of that?

Nina Orville:

That is not associated with community solar. Community solar is really a financial transaction. There's no touching your meters, touching your facilities. It's linking the credit to a particular utility account.

Councilman Diana:

This kind of reminds of when you had people selling a program to lower your electricity bill. You had to re-up every year. Is this something that's similar to that where you have to re-up every year and if you don't, you're penalized because that's what happened to a lot of the people who were having their electric bills monitored by a third party.

Nina Orville:

I believe you're talking about people who sign up with ESCO and that can be a huge problem. With community solar it's different and, again, the fact is that Sustainable Westchester is very focused on their customer friendliness of the agreement. With NYSEG, for instance, it's a long-term agreement (20 or 25 years) but you can cancel at any point with no penalty. What that does is it locks in that long-term opportunity for people but the moment someone wants to do something else – someone moves out of NYSEG, or someone decides to put solar on their home – they cancel and there's no cost. Similarly, with the opportunities in Con Ed, sometimes they're shorter than that, but there's never a penalty, there's never any kind of additional cost.

Councilman Diana:

The ESCO, if I'm not mistaken, had a penalty that was substantial if you signed up with that third party provider and you forgot to re-up.

Nina Orville:

Correct. That is a business model often of those companies, which is a real problem. That's not the case with community solar at all. (*Continuing with slides.*)

### 3. Municipal Host Opportunity

- Westchester Community Solar Partnership: NYPA, Westchester County and Sustainable Westchester
  - Aggregation of potential host sites for community solar installations
  - Town can submit sites for review to NYPA
  - Those sites can be included in RFP issued by NYPA to solar developers
  - Town can earn annual lease revenues for sites leased to solar developers for community solar installations
- Process:
  - Submit potential sites (rooftops, parking lots, vacant land) to NYPA by July 17<sup>th</sup>.

Supervisor Slater:

Swarnov, I'm just curious, from the CSE standpoint, thoughts on the Town participating in this?

Swarnov Pujari:

I know we've been actively discussing what solar might look like for the Town buildings and potentially if you have Town parking lots, but of course without having the electric bills that kind of analysis internally has been quite slow. As an overall or holistic overview, this actually seems like it might be a better way to implement. I think this is something you might want to bring up at the next meeting.

Supervisor Slater:

Well, the next meeting will be past the deadline, unfortunately.

Swarnov Pujari:

I can definitely send out an email to get them all on the phone.

Supervisor Slater:

If you could do just a quick email to the taskforce asking what their thoughts are on this. I have a feeling it's going to be overall positive but I just want to make sure. We can get a quick sense and then I can jump into this tomorrow to get it done.

Councilwoman Roker:

Nina, when is your deadline?

Nina Orville:

The deadline for submitting the sites is tomorrow.

Supervisor Slater:

The process, Nina, because we already went over this, is not cumbersome so it shouldn't be too hard for us to accomplish tomorrow.

Nina Orville:

There are two ways you can do it. You can simply send me an email saying these are the sites that we would like to be considered. I would encourage you to put any site that you might have some curiosity about – any rooftops, etc. There's no downside.

Supervisor Slater:

No downside and no risk.

Councilman Lachterman:

Out of curiosity, the host opportunity is only limited to the municipality. Say, one of our corporate partners, such as the JV Mall, want to jump into something like this would they be eligible?

Nina Orville:

They would not be eligible. NYPA is limited to serving public entities for this process so they would not be eligible for that. We're happy at Sustainable Westchester to make an introduction to someone who does a lot of solar development. School districts are eligible, as well.

Supervisor Slater:

Maybe I'll put a quick call into our two of our school superintendents, as well, to make sure they're aware of it. I actually attended a meeting with Dr. Hattar, who's the Yorktown Central School

District Superintendent, and some wonderful kids – all of whom were advocating for renewable energy in the schools. I'll just make sure he's aware of this as a possibility.

Nina Orville:

That's great. I would say if they need another couple of days, I'd be happy to let them (Sustainable Westchester) know another submission is coming at the beginning of the week and to please include it.

Supervisor Slater:

Swarnov, I know your task force did accumulate all the Town buildings as part of your assessment – correct?

Swarnov Pujari:

Correct – thanks to Bob DeAngelis.

Supervisor Slater:

So we really do have a list put together and all we have to do is submit it.

Nina Orville:

Great. The only other thing is to ensure you're thinking about potential locations for ground mounts or for solar parking canopies.

Swarnov Pujari:

I believe we have some preliminary designs for a few of the sites; so we'll share that as well.

Nina Orville:

That's great. (*Continuing with slides.*) This is the recap of the opportunities we talked about.

#### Recap Opportunities

1. Community Outreach – Informal or Campaign (Town can decide on level of engagement)
2. Municipal Enrollment – small accounts and/or large anchor accounts (provide NYSEG information for review)
3. Participation in Westchester Community Solar Partnership – submit potential sites for review to NYPA by 7/16.

Supervisor Slater:

I welcome the thoughts from the Board but these are just no-brainers for me. The Community Solar aspect, the Campaign aspect, and participating in the NYPA assessment, which we'll submit tomorrow, those all seem like ground balls for us to participate in.

Councilman Patel:

Suppose you have a site for a Town project, is there a lease term? Because I heard if you don't like it, you can change it and who loses the money on the investment?

Nina Orville:

Are you talking about if the Town serves as a host site for solar installation? The Town should submit sites where you're pretty confident that solar can remain in that location for an extended period of time. Typically, a lease agreement can be for 20-25 years. There can be buy-out provisions so if something significant changes for the Town, there's an opportunity to end a lease early, but that is all negotiated with the developer. Because the solar developer is making the full investment themselves in these systems, they are counting their revenue stream coming back over an extended period of time in order to recoup that investment. If you have a building where, perhaps, you're thinking of adding another story or a parking lot and you're thinking of a parking garage, those would most likely not be good locations for you.

Supervisor Slater:

That's good to know. Swarnov, you and I can connect so we can go over the list that your task force has accumulated. We'll do a quick overview assessment and submit it for participation. I think it's no cost, no risk for the Town.

Councilwoman Roker:

I think it's wonderful, too. I'd just like a copy of the list.

Councilman Patel:  
I'd like to see something in writing.

Councilwoman Roker:  
Vishnu, nothing's going to happen until you agree to it.

Supervisor Slater:  
Right and everything we're discussing here is no cost to the Town. These are the easy ones for us to participate in. We're providing a service to our residents with the Community Solar option. We're engaging in a public advocacy campaign in partnership with Sustainable Westchester to educate our residents in the benefits of Community Solar, and we're also going to participate in this NYPA program to determine whether there are potential sites, like we've already seen with Granite Knolls, where we can monetize our assets that are right now just sitting and not profiting from. There are a lot of options here.

Councilwoman Roker:  
There is an inherent help that we offer in addition to monetizing stuff. We are also using this source of renewable energy, which is the winner-winner part.

Councilman Lachterman:  
As someone who has been on solar for a few years, that's exactly what I was going to say. We're lowering our carbon footprint.

Nina Orville:  
The reason that there are all these benefits to Community Solar is that New York State believes it's a critical part of the state meeting climate goals, as well as make the benefits of renewal energy more equitably available to residents. In the past, if you were a renter, for instance, there was no way you could save money from solar energy. You didn't have roof where it could be constructed or if you couldn't afford an installation, you were locked out. Community Solar provides that savings and that opportunity to participate in renewable energy essentially to everybody. That's one of the reasons it's so important from Sustainable Westchester's perspective.

Supervisor Slater:  
Nina, thank you for joining us tonight.

Nina Orville:  
My pleasure.

#### GRANITE KNOLLS SOLAR CARPORT REQUEST FOR PROPOSALS

Supervisor Slater introduced Parks & Recreation Superintendent James Martorano, Parks & Recreation Commissioners PJ Cumiskey and Matt Talbert, and Swarnov Pujari remained on from the previous discussion.

Supervisor Slater:  
We are discussing the solar carport RFP review for Granite Knolls Sports Complex. Adam Rodriguez, our Town Attorney, would like to give us a brief introduction.

Town Attorney Adam Rodriguez:  
Thank you, Supervisor. I'm happy to report that it appears the Town Board made the right decision directing us to prepare the RFP and get it out because there's a lot of interest – six proposals. On a high level, they are very similar; they've all got similar components. I think they're all 25 years with similar options. The financial terms are structured similarly; each of them have a yearly lease component although some proposals are different from others because there's some "outside the box" thinking in terms of, for example, a lump sum payment up front on one of the proposals, perhaps to be used to pave the parking lot. The system size are generally similar – one megawatt. There are also a variety of financial assumptions in the proposals because they're assuming they're going to get certain [bloc?] credits and the proposals are contingent upon those things. There are a lot of technical and planning elements to these proposals that are individualized and need to be analyzed carefully, along with the assumptions and all the other terms of the proposals to evaluate them properly to make the right decision.

Supervisor Slater:

Did you mention something about the parking lot? Can you repeat what you said? I didn't catch all of it.

Town Attorney Adam Rodriguez:

When I was talking about the financial terms on a high level, there was at least one proposal that offered an upfront lump sum of the total to be used as the Town sees fit. All of the proposals are different but one way to do it is an equal amount over 25 years; an equal lease payment over 25 years. Another way to do it is a small lease payment upfront and then escalated by 1% or 2% over the course of 25 years. Another way to do it is what's is going to be over 25 years – \$2.5 million? Okay, then what's the net present value of \$2.5 million – it's whatever it is. No one proposed that but one proposal had a portion of a lease payment as an upfront payment as one of the financial options.

Superintendent Martorano:

That proposal that he's speaking of is definitely on the top of my pile – definitely the most intriguing of the six.

Councilwoman Roker:

Do you want to tell us about the six that you received and little bit about each one of them and what you think?

Superintendent Martorano:

We received six of them, as Adam said. They vary in payouts. The ones on the top of my list were the ones that really did their homework. Am I at liberty, Adam, to discuss the different groups that sent us RFPs at this time?

Town Attorney Adam Rodriguez:

I would just the financial terms; I wouldn't mention any names at this point.

Councilwoman Roker:

Oh, right. This should not be discussed because we're in open session.

Superintendent Martorano:

I certainly have the top three of the different terms; the one that Adam mentioned is definitely in the top three on my list. We have another one with terms that were quite intriguing that they gave us a credit to the lights at Granite Knolls with a rolling fee and an increase of a couple of percentage points each year, which maxed out at \$104,000 a year in value – that was my second best option. The third best was a flat fee of \$95,000 a year. The other three were far less than that.

Councilwoman Roker:

Were there any that you did not like?

Superintendent Martorano:

Some of them were very generic; didn't seem like they did their homework on our specific locations. They weren't really invested in what we're doing and financially they weren't up to par with the other three that were on my list.

Town Attorney Adam Rodriguez:

Some were definitely more robust than others, some were more concrete than others, some had more references than others, etc.

Councilman Patel:

Is the main purpose is the highest return on our land use or is it anything else. It's very hard to read all of these details. Who's going to make the recommendation that this is the right company or vendor?

Supervisor Slater:

Councilman, I think we're going to have to do some interviews with the contractors who submitted proposals, as a Board, to determine how we're going to move forward.

Councilman Patel:

What are the technical points of how much we are really going to benefit in the long term and the quality of service. We should have our own questions to ask because what is our really critical need – money, right?

Supervisor Slater:

I don't disagree with you one bit and that's why we're going to have our own forum to ask those questions.

Councilman Patel:

Okay.

Councilman Diana asked if Superintendent Martorano's proposals were numbered, as the Boards were, and he replied no.

Councilwoman Roker:

I'm not sure we can go any further on this because we can't ... unless somebody has something else to add.

Supervisor Slater:

I think what we have to decide is if our next step is going to be setting up interviews with the proposals and then we can ask questions we would like answered and vet each project to determine which one we want to bring to the public.

Councilman Diana:

I think that would be the way to go, Supervisor.

Councilwoman Roker:

Do you want interview the first three?

Supervisor Slater:

I think that's a good starting point. I'm also curious to hear from Commissioner Talbert and Commissioner Cumiskey if you had a chance to review and what your thoughts were.

Commissioner Talbert:

I was not provided a copy so I didn't have a chance to review it. Do we have any drawings with them?

Supervisor Slater:

Some did provide mapping and drawings. Adam (Rodriguez), can we share the proposals with Commissioners Talbert and Cumiskey for their review.

Town Attorney Adam Rodriguez:

Yes, of course and, gentlemen, I'll send you a link because the proposals are very large.

Commissioner Cumiskey:

Did anybody put together a comparison sheet as far as the long-term financials – renderings aside, just dollars and cents of what it's going to be?

Town Attorney Adam Rodriguez:

We got them Tuesday afternoon.

Councilwoman Roker:

Generally, the person who sends it out is the person to provide that.

Superintendent Martorano:

The details are pretty vague; they definitely range so it's not very clear cut as to exactly which deal bringing in which amount of money. Some of the deals dealt with the megawatts and how much money you got per megawatt, so it's not apples to apples.

Councilwoman Roker:

Did they talk about the number of people who could sign up for benefits?

Superintendent Martorano:

Yes, Town residents would get a 10% discount on their energy.

Supervisor Slater:

If they're a Con Ed customer. Con Ed customers would get a 10% discount by signing up. That's why through Sustainable Westchester, as they were talking about the Community Solar, we're educating our residents about Community Solar and the benefits of it in their bottom line. In addition to do the right thing for the planet, they're going to also see in the bottom line their getting an opportunity to reduce their monthly bills by 10%.

Councilman Patel:

The more competition in polarizing the United States (for solar energy) the cost of energy should go down. Are you going to pay less in time by using the solar energy from this kind of project or will it go up and down?

Superintendent Martorano:

Most of them had more going up in compensation, if that was the question.

Supervisor Slater:

Do we want to set up times for all six or do we just consider the recommended three?

Councilwoman Roker:

I have a question. There is obviously a reason the Superintendent has said "I like these three and not the others." Can you find out what that is and then we'll do whatever he wants us to do because there may be a reason (I don't want you to tell me the reason at this meeting)?

Supervisor Slater:

Jimmy (Martorano), why don't you come to my office tomorrow and we'll go over it and you'll let me know what your preferences are? We're also very interested in hearing from Commissioners Talbert and Cumiskey about what their thoughts are on the proposals once they receive them.

Commissioner Talbert:

Is there a time frame? Are we under the gun, again?

Town Attorney Adam Ridriguez:

There's no statutory time frame or local law that we have to pick within a certain amount of time. The only "time frame" is that the proposals are based on assumptions that certain tax breaks are going to be there in certain blocks. If those blocks are not available, those blocks are not going to change.

Supervisor Slater:

It's in our best interest.

Commissioner Cumiskey:

Typically on an RFP, the proposer would give a qualifier to their bid. Public bids usually expire within 90 days, 120 days – it would be advertised in the RFP. If we didn't advertise that, we should check one of the things, Jim, is you're looking for qualifiers. If somebody qualified in their proposal something that we can fulfill, that's what I'll be looking for when you send them over to me, but you should also be looking to see if anybody qualified that this price is good for 30 days, 60 days, 90 days. Typically, it's 60 to 90 days as a standard – most government bids are 120 days.

Superintendent Martorano:

We have to look at details of decommissioning as well with as much detail in the RFPs regarding those. This is a question we might want to ask when we do get them in front of us – about the decommissioning.

Commissioner Cumiskey:

We definitely want to have some kind of fund put in some kind of escrow for the decommissioning. The problem with that is we would take the risk versus the risk of the company going out of business between now and 25 years from now and we're stuck with an ugly looking thing.

Supervisor Slater:

So, Jimmy, you'll stop by my office tomorrow. We'll have a chat about this and I'll disseminate the information to the Board. Adam, if you could share with Commissioners Talbert and Cumiskey the information, I'd appreciate that.

HILL BLVD BRIDGE/VETERANS ROAD CULVERT REPLACEMENT PROJECTS REQUEST FOR PROPOSALS

Supervisor Slater introduced Town Engineer Michael Quinn.

Supervisor Slater:

We're talking about the Hill Boulevard Bridge and Veterans Road Culvert Replacement projects. Mike, can you just provide a recap for everyone at home of what's transpired at this point.

Town Engineer Michael Quinn:

Okay. These two projects date back to 2017. We received two grants from NYS DOT. The first grant was \$820,000 for the Veterans Road project to replace the culvert underneath Veterans Road right by the intersection with Greenwood Street. That project was 100% reimbursable, so the entire cost will be reimbursed by the DOT. The second project was the Hill Boulevard Bridge Replacement; this is right off Route 6 right before the mall access road. That project we submitted a grant application in the amount of \$2.6 million and that project is 95% funded. The Town's obligation on that project is \$130,000. In 2017 after we received the award, the Town retained WSP to do the design work and they have been working on the engineering design. We've also done all the right of way acquisitions. For both projects, we needed to take a strip of land from private owners and so we've been doing that essentially for the last two years. The project went out for bid in March and tonight I just wanted to review the bid results with the Town Board. I did submit a letter that WSP prepared. We got 9 bids; the lowest bid was \$2,995,000. When we went out to bid, we decided to put both projects together. So essentially we combined the projects to get one contractor to do both. So that's really where we are and I just want to review with the Board to see if the Board is comfortable moving ahead knowing that we would have to find approximately \$300,000 to make these awards.

Supervisor Slater:

When would we have to have \$300,000 by?

Town Engineer Michael Quinn:

So the next step is, if the Board is comfortable, we have to submit all of the documents for bids to the DOT and I'm understanding that it's two to four weeks to get their feedback. So potentially we could do an award in about one month if we want to move forward.

Supervisor Slater:

So we'd need the \$300,000 in a month? That's my question – by the time we make the award.

Town Engineer Michael Quinn:

Yes.

Supervisor Slater:

The total cost of the project – just repeat it one more time for everybody.

Town Engineer Michael Quinn:

To make the award to the low bidder – Transit Construction (they're out of Yonkers) – would be \$2,995,000. That includes some extra work. I think there's a 5% contingency in there for extra work allowance so if little things come up in the field that would be covered – at least the beginning part would be covered in that contract with them.

Supervisor Slater:

And this is a reimbursable grant?

Town Engineer Michael Quinn:

So out of the \$3 million, we would be getting back 100%...after we spend \$300,000 of Town funds, we would get 100% back of all the costs – we're going to have to track costs separately for Veterans Road – 100% reimbursable, and then for Hill Boulevard would be 95% reimbursable. So if we submit \$100,000 for the Hill Boulevard project, the state would return the check monthly of \$95,000.

Supervisor Slater:

Is Pat Caporale, our Comptroller, still with us? Pat, what are we thinking here?

Councilman Patel:

Cash and carry.

Town Comptroller Pat Caporale:

Exactly.

Supervisor Slater:

So basically the choice we have to make here is are we okay with spending \$300,000 for a \$3 million project – well, two projects totally \$3 million.

Councilwoman Roker:

Pat, did you put away any money for this?

Town Comptroller Pat Caporale:

Yes, I did. Initially, I had \$2.6 million for Hill Boulevard – the balance right now is \$2.3 million. That's after WSP has been paid and on Veterans Road, I have \$820,000 with the balance now of \$683,000 after WSP has been paid. So between the two projects, I have \$3 million as a balance.

Supervisor Slater:

So we have the money.

Town Comptroller Pat Caporale:

Exactly. So that's why I just wanted some clarification – I don't know where the extra \$300,000...

Councilwoman Roker:

That's the problem, Matt. She's got the \$3 million but there's the extra \$300,000.

Town Comptroller Pat Caporale:

But what's that for?

Councilwoman Roker:

Because the second project we have to pay 5%, which Mike says is \$300,000.

Councilman Patel:

Why do we use the word "reimbursable"? From the very beginning this was a 5% matching grant.

Councilwoman Roker:

Yes, that's more simple.

Supervisor Slater:

That is more simple; I agree. The question that we really have to decide is are we comfortable spending \$300,000 in order to cover the excess balance?

Town Comptroller Pat Caporale:

Let me ask you a question as a counterpoint here: how are the reimbursements going to be submitted? Because if you're talking about the reimbursements, you can use the reimbursement back into the project and there you get your \$300,000. Because, remember, I'm paying \$2.6 million right up front. I can put that money back into the capital project and there's your \$300,000, which was the Town's portion.

Supervisor Slater:

I like it.

Councilwoman Roker:

Me, too – I'm good with it.

Supervisor Slater:

Mike Quinn – so we're going to get reimbursed monthly?

Town Engineer Michael Quinn:

Yes, we submit monthly. Actually, we might be doing quarterly right now because there's not a lot of work that WSP is doing, but the contractor will want to be paid monthly and as soon as we get cancelled checks or a certification that an electronic transfer was done, we can submit that for reimbursement.

Supervisor Slater:

So then this should work, is the bottom line.

Town Engineer Michael Quinn:

It should. I think what Pat was saying, if I understand correctly, is that we've paid to date \$300,000 and so got reimbursed from NY state \$300,000 so we're going to use that \$300,000 to cover the balance to make the award. So that makes perfect sense to me.

Councilman Patel:

How long is it going to take to start and finish the entire project? Do both have to be done at the same time?

Town Engineer Michael Quinn:

So the contract duration is 9 months for the project – 270 days. I do think they'll be working in both locations simultaneously in order to meet the deadlines. Both structures that are going to be put in require full road closures so I would like to come back to the Board at a future public meeting to talk through what the work-arounds are because Veterans Road is not an easy road to close. We did create an entire traffic management plan that's included in the contract documents so there's going to be an extended closure. Both of those structures will be pre-cast concrete so they'll be made somewhere else and then they'll be brought to the site. So we won't do any road closures until the structures are brought to the sites and ready to be installed. There will be a month or two of a road closure while they have to drop those structures in place.

Councilwoman Roker:

You worked with Dave Paganelli on the plan, right?

Town Engineer Michael Quinn:

Yes, we work with him extensively. We work with public safety, we reach out to the schools through Dave Paganelli. Now that we're here – we worked on that two years ago – now it might be a good idea to refresh everyone's memory about what we're doing and why we're doing it and how long. Matt, I'll work with you and your office to set that up. We do have some PowerPoints that were created and we're just kind of waiting to see if we were going to move on with the project.

Supervisor Slater:

I don't think we have much of a choice and I think we found a way to make up the difference, thanks to our Comptroller. We're all very comfortable with it. Now, Councilman Diana, you had something you wanted to add?

Councilman Diana:

Yes. Just go over these numbers with me one more time. The total grant for both projects –

Town Engineer Michael Quinn:

Right – the first grant was \$825,000 for Veterans Road and Hill Boulevard was \$2.6 million. Together those projects are \$3.4 million – that's our total grant. I think what we're saying after we're all said and done here is that we're actually going to spend \$3.7 million and we're going to get reimbursed \$3.6 million minus \$130,000, which was our 5% share of Hill Boulevard.

Councilman Diana:

And the company had come in with \$2.9 million for both jobs.

Town Engineer Michael Quinn:

Yes - \$2,995,000.

Councilman Diana:

But that doesn't include the engineering?

Town Engineer Michael Quinn:  
That's correct.

Supervisor Slater:

We've already spent \$300,000 and we're getting reimbursed for which we will take and roll back into the project to make up the difference. Mike, if you'll work with Adam to work on the necessary resolution to move this forward, that'll be fantastic.

Town Engineer Michael Quinn:  
Okay.

Town Comptroller Pat Caporale:  
And I'll speak with you also, Mike.

Supervisor Slater:

We're going to move to resolutions. Mr. Rodriguez, did you send me the resolution for pertaining to Putnam Northern Westchester BOCES?

Town Attorney Adam Rodriguez:  
The modifications? I think they're in the resolution.

Supervisor Slater:

We need to rescind the original resolution that we had passed since Putnam Northern Westchester BOCES is not participating or facilitating the three one-week hiking sessions, which are moving to Teatown Lake Reservation. If it's acceptable to the Board, I'll just make a motion to rescind the resolution pertaining to Putnam Northern Westchester BOCES.

RESCIND RESOLUTION #213, DATED JULY 7, 2020  
RESOLUTION #241

Upon motion made by Supervisor Slater, seconded by Councilman Diana,

RESOLVED, the Town Board rescinds Resolution No. 213 of 2020 authorizing the Supervisor to sign an agreement with PNW BOCES Center for Environmental Education (CEE) for the purpose of facilitating a 2020 Summer Hiking Program for students in grades 3 through 8 in an amount not to exceed \$9,900, which is contingent upon enrollment.

Slater, Diana, Lachterman, Patel, Roker Voting Aye.  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN INTERMUNICIPAL AGREEMENT WITH THE  
COUNTY OF WESTCHESTER FOR ACCESS TO THE REPOSITORY FOR INTEGRATED  
CRIMINALISTIC INFORMATION SYSTEM  
RESOLUTION #242

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

RESOLVED, that the Supervisor is authorized to enter into an Intermunicipal Agreement with the County of Westchester for the Town's access of the Westchester County Repository for Integrated Criminalistic Information ("RICI System"), which allows for the electronic transmission and storage of criminal record and police blotter information. The term of the agreement is retroactive to March 1, 2020 through February 28th, 2025.

Slater, Diana, Lachterman, Patel, Roker Voting Aye.  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH TEATOWN LAKE  
RESERVATION FOR THE PURPOSE OF FACILITATING THREE ONE-WEEK HIKING  
SESSIONS, IN AMOUNT NOT TO EXCEED \$4,950, CONTINGENT UPON ADEQUATE  
ENROLLMENT  
RESOLUTION #243

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

RESOLVED, that the Supervisor is authorized to sign an agreement with Teatown Lake Reservation for the purpose of facilitating three one-week hiking sessions, in amount not to exceed \$4,950, contingent upon adequate enrollment in the Town's discretion. The services will be provided between July 20 and August 7, 2020.

Slater, Diana, Lachterman, Patel, Roker Voting Aye.  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH WESTMORELAND SANCTUARY FOR THE PURPOSE OF FACILITATING A ONE-WEEK HIKING SESSION, IN AMOUNT NOT TO EXCEED \$1,650, CONTINGENT UPON ADEQUATE ENROLLMENT  
RESOLUTION #244

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

RESOLVED, that the Supervisor is authorized to sign an agreement with Westmoreland Sanctuary for the purpose of facilitating a one-week hiking session, in amount not to exceed \$1,650, contingent upon adequate enrollment in the Town's discretion. The services will be provided between July 20 and July 24, 2020.

Slater, Diana, Lachterman, Patel, Roker Voting Aye.  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH NATURE OF THINGS FOR THE PURPOSE OF FACILITATING A ONE-WEEK HIKING SESSION, IN AMOUNT NOT TO EXCEED \$1,650, CONTINGENT UPON ADEQUATE ENROLLMENT  
RESOLUTION #245

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

RESOLVED, that the Supervisor is authorized to sign an agreement with Nature of Things for the purpose of facilitating a one-week hiking session, in amount not to exceed \$1,650, contingent upon adequate enrollment in the Town's discretion. The services will be provided between August 3 and August 7, 2020.

Slater, Diana, Lachterman, Patel, Roker Voting Aye.  
Resolution adopted.

APPROVE WAIVING MONTHLY RENT FEE FOR THE WESTCHESTER BALLET FOR JULY AND AUGUST IN THE AMOUNT OF \$10,459.68  
RESOLUTION #246

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

Resolved, that the Town Board waives the monthly rent fee of \$5,229.84 for Westchester Ballet's use of the Albert A. Capellini Community and Cultural Center room(s) for the months of July and August 2020 for a total amount of \$10,459.68.

Slater, Diana, Lachterman, Patel, Roker Voting Aye.  
Resolution adopted.

AUTHORIZE REFUSE AND RECYCLING COORDINATOR TO SIGN ANY DOCUMENTATION NECESSARY TO HAVE ABSOLUTE AUCTIONS CONDUCT A PUBLIC AUCTION OF A 2000 CHEVY ASTRO VAN  
RESOLUTION #247

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

WHEREAS, the Town of Yorktown owns and has in its possession a vehicle which is no longer necessary or adaptable for use by the Town; and

WHEREAS, it is in the best interest of the Town to dispose of said vehicle and receive monetary compensation for the benefit of the Town; now therefore be it

RESOLVED, that the Refuse and Recycling Coordinator is authorized to sign any documentation necessary to arrange for Absolute Auctions to conduct a public auction of the Town's 2000 Chevy

Astro Van, vin 1GNEL19WYB207301, in “AS IS” condition.

Slater, Diana, Lachterman, Patel, Roker Voting Aye.  
Resolution adopted.

EXECUTIVE SESSION

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman, the Town Board moved into Executive Session to discuss Litigation and negotiations. Upon motion made by Councilman Lachterman, seconded by Councilman Patel, the Town Board moved out of Executive Session and adjourned the meeting.

ADJOURN MEETING

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

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