

Meeting of the Town Board, Town of Yorktown held on Tuesday, November 26, 2019 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Ilan D. Gilbert, Supervisor
 Alice E. Roker, Deputy Supervisor
 Vishnu V. Patel, Councilman
 Thomas P. Diana, Councilman
 Edward Lachterman, Councilman

Also Present: Maura Weissleder, Deputy Town Clerk
 Richard S. Abbate, Town Attorney

TOWN BOARD MEETING

Supervisor Ilan Gilbert called the meeting to order.

EXECUTIVE SESSION

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

STATUS UPDATE ON HALLOCKS MILL SEWER DISTRICT EXTENSION, PHASE 1-SEWER PETITIONS

Town Engineer Michael Quinn said that they had sent out 313 petitions the last week of October and with 60 days to collect responses. As of yesterday, they received 81 responses – an average of 26% has been returned. A second mailing will be done and phone calls will also be made in order to elicit responses from the residents. The Town needs a minimum of 51% in order to move forward. Supervisor Gilbert said he and Supervisor-elect Matt Slater have been in communication about the project and that Mr. Slater is on board with moving this forward in the new year.

Councilman Lachterman said there is a misunderstanding about the project. Voting for the project does not mean you have to do the hookup. He said that being able to sell your home with the right sewer hookup is a huge benefit to the property's value.

Mr. Quinn said they received many questions about the homeowner's cost and if there was anything the Town could do. The County, who has funding, was working on a program that we have yet to receive details. A meeting had been called for but was cancelled. Mr. Quinn said he feels there will be a program coming in the very near future and details will be determined.

INFILTRATION/INFLOW FLOW STUDY IN THE PEEKSKILL SANITARY SEWER DISTRICT

An RFP had been sent out in April 2019 for the flow study required by a consent order the Town signed with DEC. Ten proposals had been returned and four firms had the combination of experience and price that he felt the Board should consider. Each firm came to an executive session to present their proposals. The award should be made by the end of the year so that flows can be checked by the spring of next year. He is trying to find out why our flows go so much higher when it rains (breaks in the lines, manhole covers need to be reset, illegal connections, etc.). This is a flow study to narrow down the areas in our collection system in the Peekskill system needing attention.

He presented a summary of the four firms: GHD, EDR, Weston & Sampson, Barton LoGuidice. Mr. Quinn said all four firms are proposing to use the same subcontractor, ADS Environmental, to go into the field and set up equipment in the manholes to record the data. The analysis of the data is then left to one of the four firms.

Supervisor Gilbert said that EDR was with the Town when they met with DEP and DEC, and have helped the Town to communicate what we might be able to do in order to increase our SPEDES permit for the plant. He said EDR also helped the Town negotiate with the DEP and DEC to avoid having to do a complete SSES along with the flow study.

The SSES would require the Town to do complete and full repairs of anything that was found as a result of the study. The Town was able, with EDR's expertise, to get the DEC to allow the Town to identify specific weak spots and do repair on those first without having to do a full SSES.

Ed Mahoney, Assistant Wastewater Treatment Plant Superintendent, voiced his support of EDR.

Mr. Quinn said he will draft a resolution recommending EDR for this study and will present it at the next Town Board meeting.

PUMP STATION REHABILITATION (4 STATIONS): CRYSTAL LAKE, HANOVER EAST, MOHANSIC & SALEM

Michael Quinn said an RFP was advertised last December for the rehabilitation of the next four pump stations. The first three (out of a total 17 pump stations) are being done by GHD. Three firms were recommended from those that submitted proposals and each firm came and presented their proposal before the Board: EDR (\$364,000), H2M (\$366,00), and Barton Loguidice (\$367,000). He said each of the three firms have a demonstrated track record of doing these kinds of projects.

Councilman Diana asked if a subcontractor was identified by each of the firms since the Town has had past issues with subcontractors. Mr. Quinn said that H2M and Barton Loguidice would be self-performing the inspection work. EDR uses a local firm, KJM, to do the inspections.

Councilwoman Roker led a discussion regarding the delay problems the Town had on the first three pump station rehabilitations and said that it was apparent it was not GHD's fault. She asked Mr. Quinn for regular updates on these projects so the Board is kept informed of any problems/progress.

This led into a discussion about the Mohegan Avenue Retaining Wall project that is running into problems. Mr. Quinn said he is worried less about the contractor than he is with the liability the Town is seemingly taking on by holding off on this project.

Councilman Lachterman said he liked the fact that H2M immediately brought up the floodplain issues with the pump stations. He said that he is concerned with the Town putting "all of their eggs in one basket" by choosing the same contractor. He said he feels confident with both H2M and Barton Loguidice.

Supervisor Gilbert asked Mr. Quinn what his thoughts were on choosing a firm. Mr. Quinn said that local expertise might be a slight advantage for this project and recommends either H2M or Barton Loguidice.

Mr. Mahoney said he believed that having one firm who answers to the Town is a little easier. He voiced his support of EDR for both the flow study and the pump station rehabs since the Town now has the template for rehabbing the pump stations.

A history of EDR was discussed and the genesis of the firm, as it is today. Cosmo Pagano, EDR, addressed the Board regarding their background and their history with the Town.

Mr. Quinn said he would draft a resolution that he will present at the next Town Board meeting.

FLUORIDE PROJECT

Although not an agenda item, Mr. Quinn said that bids for the fluoride project were recently opened and he presented two slides summarizing the bids. Two contracts are being bid: one for the general contracting (GC) and one for the electrical work.

Supervisor Gilbert said, although he asked the following question before, he wanted to make sure the answer is clear. His understanding is that if the Town, after going through the design phase, decides not to proceed with the construction they will not lose the grant money that was spent on the design phase. Mr. Quinn said that is correct. The grant award is good

until May of 2020; if the Town does not use the money, the grant can be taken away. If the Town has started the project and it is not completed by then, the Town can ask for an extension. Supervisor Gilbert stated that we have already asked for an extension, which Mr. Quinn confirmed. Mr. Quinn stated that the Town has received a grant for \$901,500 for this project. He said when the Town received the award, it was understood that this covered 100% of the cost of the construction and engineering expenses. The Town hired Arcadis to do the engineering design for \$209,000. That left the Town with \$692,500 from the grant that he hoped would be what the bids came in at, possibly less. However, the bids came in higher. Mr. Quinn then explained how this project was tied into a project the Town of Cortlandt was proposing to do that never came to fruition. This, in turn, led to the Town's request for an extension and needing to find a new location. A DEP property on Catherine Street was found that has a town-owned building on it and was chosen for the fluoridation plant. The Town received approval from DEP to store chemicals (fluoride) in the building. The Department of Health, however, was requiring a flow meter at the location, which was bid as an alternate to the bid. The cost of this structure is over \$200,000. The Department of Health has now reversed their decision on this since the Town has a flow meter at another location. In order to make the bid award for the fluoridation plant "bare bones," it would cost \$849,970. Mr. Quinn stated this would leave the Town short \$157,470; however it would be a million dollar building.

Councilwoman Roker asked if the Town got back any of the \$209,000 grant money spent on Arcadis and Mr. Quinn said that the Town got back about \$85,000.

Mr. Quinn said he would like to work with the Water Department and the Comptroller's office to work on a plan to bring back to the Board to pay for the shortfall of \$157,470.

REAPPOINT MARK CONNELLY TO THE ADVISORY BOARD ON ARCHITECTURE & COMMUNITY APPEARANCE

RESOLUTION #438

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

Be It Resolved, that Mark Connelly is reappointed to the Advisory Board on Architecture & Community Appearance for a term expiring on March 31, 2021.

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

REAPPOINT WILLIAM PRIMAVERA TO THE ADVISORY BOARD ON ARCHITECTURE & COMMUNITY APPEARANCE

RESOLUTION #439

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

Be It Resolved, that William Primavera is reappointed to the Advisory Board on Architecture & Community Appearance for a term expiring on March 31, 2021.

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

REAPPOINT DAVID M. MCCONNELL TO THE ADVISORY BOARD ON ARCHITECTURE & COMMUNITY APPEARANCE

RESOLUTION #440

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

Be It Resolved, that David M. McConnell is reappointed to the Advisory Board on Architecture & Community Appearance for a term expiring on March 31, 2021.

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

REAPPOINT CHRISTOPHER TAORMINA TO THE ADVISORY BOARD ON ARCHITECTURE & COMMUNITY APPEARANCE
RESOLUTION #441

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

Be It Resolved, that Christopher Taormina is reappointed to the Advisory Board on Architecture & Community Appearance for a term expiring on March 31, 2021.

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

REAPPOINT GEOFFREY WHEELER TO THE CABLE TV COMMITTEE
RESOLUTION #442

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

Be It Resolved, that Geoffrey Wheeler is reappointed to the Cable TV Committee with a term expiring on December 21, 2021.

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

REAPPOINT RAY ARNOLD TO THE CABLE TV COMMITTEE
RESOLUTION #443

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

Be It Resolved, that Ray Arnold is reappointed to the Cable TV Committee with a term expiring on December 21, 2021.

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

REAPPOINT KEN BELFER TO THE COMMUNITY HOUSING BOARD
RESOLUTION #444

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

Be It Resolved, that Ken Belfer is reappointed to the Community Housing Board with a term expiring on December 31, 2024.

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

REAPPOINT MAURA GREGORY TO THE COMMUNITY HOUSING BOARD
RESOLUTION #445

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

Be It Resolved, that Maura Gregory is reappointed to the Community Housing Board with a term expiring on December 31, 2024.

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

APPOINT JUDE SMITH TO THE COMMUNITY HOUSING BOARD
RESOLUTION #446

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

Be It Resolved, that Jude Smith is appointed to the Community Housing Board with a term expiring on December 31, 2025.

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

REAPPOINT DR. EDWIN PELL TO THE LANDMARKS PRESERVATION
COMMISSION
RESOLUTION #447

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

Be It Resolved, that Dr. Edwin Pell is reappointed to the Landmarks Preservation Commission for a term expiring on October 31, 2022.

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

REAPPOINT BRIDGET KROWE TO THE LANDMARKS PRESERVATION
COMMISSION
RESOLUTION #448

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

Be It Resolved, that Bridget Krowe is reappointed to the Landmarks Preservation Commission for a term expiring on October 31, 2022.

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

REAPPOINT MARIE T. KELLER NAUMANN TO THE LANDMARKS
PRESERVATION COMMISSION
RESOLUTION #449

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

Be It Resolved, that Marie T. Keller Naumann is reappointed to the Landmarks Preservation Commission for a term expiring on October 31, 2021.

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

REAPPOINT CHRISTINE SISLER TO THE LANDMARKS PRESERVATION
COMMISSION
RESOLUTION #450

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

Be It Resolved, that Christine Sisler is reappointed to the Landmarks Preservation Commission for a term expiring on October 31, 2022.

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

APPOINT BRENDAN MURPHY TO THE LANDMARKS PRESERVATION
COMMISSION
RESOLUTION #451

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

Be It Resolved, that Brendan Murphy is appointed to the Landmarks Preservation Commission for a term expiring on October 31, 2021.

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

APPOINT TOM MCLOUGHLIN TO THE LANDMARKS PRESERVATION COMMISSION
RESOLUTION #452

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

Be It Further Resolved that Tom McLoughlin is appointed to the Landmarks Preservation Commission for a term expiring November 30, 2021.

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

REAPPOINT JOHN KINCART TO THE PLANNING BOARD
RESOLUTION #453

Be It Resolved, that John Kincart is reappointed to the Planning Board for a term expiring on December 31, 2023.

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

REAPPOINT DALE SALTZMAN TO THE TREE CONSERVATION ADVISORY COMMISSION
RESOLUTION #454

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

Be It Resolved, that Dale Saltzman is reappointed to the Tree Conservation Advisory Commission for a term expiring on October 31, 2022.

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

REAPPOINT GREGORY BUCCI TO THE ZONING BOARD OF APPEALS
RESOLUTION #455

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

Be It Resolved, that Gregory Buccì is reappointed to the Zoning Board of Appeals for a term expiring on December 31, 2024.

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

RELEASE OF DRIVEWAY PERMIT & STREET OPENING PERMIT ESCROW DEPOSITS– JAB BUILDERS
RESOLUTION #456

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

Resolved, that the Town Board authorizes the release of the following escrow deposits:

<u>Permit type and Number</u>	<u>Amount</u>	<u>Location</u>	<u>Refund to:</u>
Driveway #1216	\$500.00	352 Homestead Rd	JAB Builders, Inc. 361 Route 6 Yorktown, NY 10598
Street Opening #017-019	\$1,000.00	352 Homestead Rd	Same as above

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

AUTHORIZE SUPERVISOR TO SIGN A MAINTENANCE AGREEMENT WITH BUSINESS ELECTRONICS, INC. FOR SERVICING THE YORKTOWN POLICE DEPARTMENT VOICE RECORDER EQUIPMENT
RESOLUTION #457

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

Resolved, that the Town Supervisor is authorized to sign a maintenance agreement with Business Electronics, Inc. for servicing the Yorktown Police Department's voice recorder equipment for the period December 15, 2019 through December 14, 2020. The annual contract amount is \$3,485.00.

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

AUTHORIZE SUPERVISOR TO EXECUTE ANY DOCUMENTS REQUIRED TO RECORD A DEED FOR A SUBDIVISION ADOPTED BY PLANNING BOARD RESOLUTION NUMBER #04-10, APPROVING THE FINAL SUBDIVISION PLATS TITLED CAT HILL AT HILLTOP HANOVER AKA DAYSTAR PARTNERS, DATED MAY 10, 2004"
RESOLUTION #458

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

Whereas, in accordance with the Planning Board's Land Development Regulations, Town of Yorktown Town Code Chapter 195, adopted February 13, 1969, and as last revised, a formal and complete application for approval of a final layout entitled "Proposed Subdivision for Cat Hill at Hilltop Hanover Farm," Section 14.03 Parcel 5 Lot#, and last revived on January 5, 2004 was submitted to the Planning Board on January 14, 2004;

Whereas, the application was considered by the Planning Board and the Planning Board did approve the application and did pass Resolution Number #04-10 Approving the Final Subdivision Plats Titled Cat Hill at Hilltop Hanover aka Daystar Partners, dated May 10, 2004";

Whereas, the Planning Board has reviewed the recreation needs created by the subject subdivision as well as the present and anticipated future needs of the surrounding area as analyzed and planned for in the Town's Recreation Plan adopted in 1978;

Whereas, based on the assessment of the recreation needs created by the subject subdivision and the recreation needs of the surrounding area reflected in the Town's Recreation Plan, the Planning Board found that the subject neighborhood requires for its present and future recreation needs; and

It Is Hereby Resolved that the Town Board accepts the aforementioned 12.39 acre parcel for the purposes of recreational use and designates the parcel to be open space and further authorizes the Supervisor to execute any documents required to record the deed for the aforementioned parcel.

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

AUTHORIZE TOWN CLERK TO ADVERTISE THE YORKTOWN HOUSING CHOICE VOUCHER (HCV) PROGRAM AND ACCEPTANCE OF PRE-APPLICATIONS FOR HOUSING ASSISTANCE DURING THE DATES OF JANUARY 8TH, 2020 AT 12:01 AM THROUGH JANUARY 9TH, 2020 AT 11:59 PM
RESOLUTION #459

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

Notice is Hereby Given that the Town of Yorktown Housing Choice Voucher (HCV) Program announces the acceptance of pre-applications for housing assistance during the dates of January 8th, 2020 at 12:01 am through January 9th, 2020 at 11:59 pm, EST. The waiting list will close immediately following the aforementioned time frame.

Applicants can apply at <https://www.waitlistcheck.com/NY1819> (link is external). Applications will only be accepted online. The Town of Yorktown has no preferences; nor does it have a residency preference. Four hundred qualified applicants will be placed on the list by random lottery.

The Housing Choice Voucher Program assistance covers the rent portion that exceeds approximately 30% of an eligible family's monthly income. Any and all income-eligible households may submit a pre-application. Acceptance and/or assistance are based on income verification, eligibility requirements, and preference factors. Maximum income levels, based on family size are as follows:

Family Size	Income Limits:
1	\$42,150
2	\$48,150
3	\$54,150
4	\$60,150
5	\$65,000
6	\$69,800
7	\$74,600
8	\$79,400

Reasonable Accommodation:

If you are a person with a disability and require a reasonable accommodation in order to submit an application, please contact the Section 8 office in writing, postmarked no later than January 4, 2020.

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

AUTHORIZE THE TOWN CLERK TO ADVERTISE A PUBLIC HEARING FOR SPECIAL USE PERMIT – 3700 BARGER STREET
RESOLUTION #460

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

Resolved, the Town Clerk is authorized to advertise that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York on December 17, 2019 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY at 7:30 pm o'clock or as soon thereafter can be heard to consider the application filed by Danny Porco, NY Fuel Distributors, LLC for a Special Use Permit for a gas station located at 3700 Barger Street, Yorktown, NY, also known as Section 16.07, Parcel 1, Lot 43. The request is to demolish the existing Getty Automotive Service Station and replace it with a new gas station and convenience store with a 2,200 square foot canopy and associated appurtenances.

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

AUTHORIZE THE TOWN CLERK TO ADVERTISE AN AMENDMENT TO CHAPTER 300 BY ADDING A NEW ARTICLE VII, SECTION 300-81.5 “BATTERY ENERGY STORAGE SYSTEMS”
RESOLUTION #461

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

Resolved, the Town Clerk is authorized to advertise that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York on Tuesday, December 17, 2019 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider amending Chapter 300 of the Code of the Town of Yorktown entitled “Zoning” by adding a new Article VII, Section 300-81.5 “Battery Energy Storage Systems.”

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

AUTHORIZE THE TOWN CLERK TO ADVERTISE A PROPOSED LOCAL LAW
“MORATORIUM AND PROHIBITION OF LARGE SCALE BATTERY ENERGY
STORAGE SYSTEMS INSTALLATIONS WITHIN THE TOWN OF YORKTOWN”
RESOLUTION #462

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

Resolved, the Town Clerk is authorized to advertise that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York on Tuesday, December 17, 2019 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider a proposed local law known as the “Moratorium and Prohibition of Large Scale Battery Energy Storage Systems Installations within the Town of Yorktown.”

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

AUTHORIZE THE TOWN CLERK TO ADVERTISE POLICE DEPARTMENT
MOTORCYCLES TRADE IN AND PURCHASE
RESOLUTION #463

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

Resolved, the Town Clerk is hereby authorized to advertise a bid for the Yorktown Police Department Motorcycles Trade In and Purchase.

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

REQUEST TO ADVERTISE BID FOR THE BRIDGE NY PROJECTS – HILL BLVD
BRIDGE REPLACEMENT & VETERANS ROAD CULVERT REPLACEMENT
RESOLUTION #464

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

Whereas:

1. The Town was awarded 100 percent funding (\$820,000) for the Culvert Replacement at Veterans Road over Hallocks Mill Brook as part of the 2016 Bridge NY program.
2. The Town was awarded 95 percent funding for the Bridge Replacement Hill Boulevard over Tributary to Barger Brook (\$2,600,000 project cost; award amount \$2,470,000) as part of the 2016 Bridge NY program.
3. The engineering company working for the Town on this project, WSP USA Inc, has completed the engineering design and preparation of the contract drawings and specifications for both projects. All right-of way acquisitions have been completed and all approvals from the NYSDOT have been obtained.
4. The Town will be bidding both work locations in a single project bid.

Resolved, that the Town Clerk is authorized to advertise bids for the Bridge NY projects, which includes the Veterans Road Culvert Replacement & the Hill Boulevard Bridge Replacement.

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

AUTHORIZE COMPTROLLER TO REFUND APPLICATION FEE FOR WETLAND
PERMIT #T-WP-044-18 - TO PAUL DINOME – SUNSET STREET

RESOLUTION #465

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

Whereas:

1. Paul Dinome as applicant, posted check #137 in the amount of \$3,600 to serve as an application fee for a Wetland Permit, which was deposited to the A2116 account on August 11, 2018 for work to be performed at the Sunset Street residence.
2. The application fee of \$3,600 (double the normal application fee of \$1,800) was due to issuance of a Notice of Violation and covered restoration and re-planting of a wetland buffer area and conservation easement that was disturbed by the Applicant.
3. In a subsequent hearing in Town Court, it was determined that the work was not required due to ambiguities in the Town Code. As per the Code Enforcement Officer, no further work is required at this time.
4. The Town Engineer has reviewed the above and recommends that the \$3,600 application fee be released since no work will be performed.

Now, Therefore Be It Resolved, that the above referenced fee be released to Mr. Paul Dinome, 975 Sunset Street, Yorktown Heights, NY 10598.

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

Supervisor Gilbert said the Tree Ordinance is on the agenda for December 10 and he has received several comments from a number of residents and people should be aware that they are able to voice their opinion during the public hearing. He asked Director of Planning, John Tegeder, to speak about the major changes that are being made to the latest draft. Mr. Tegeder said there are four areas that will contain changes: 1) clarifying language regarding the exemption of ½-acre properties; 2) threshold for permitting relative to trees; 3) threshold for protected woodlands; and 4) maintaining property that involves woodland.

Supervisor Gilbert wished all a Happy & Healthy Holiday Season.

ADJOURN MEETING

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

MAURA WEISSLEDER
DEPUTY TOWN CLERK
TOWN OF YORKTOWN