



# Town of Yorktown

*Office of the Town Clerk*

---

**FINAL VIDEO CONFERENCE  
TOWN BOARD MEETING AGENDA  
FOR MAY 19, 2020  
363 Underhill Avenue, Yorktown, NY 10598**

**6:30 PM EXECUTIVE SESSION**

A motion will be made to go into Executive Session to discuss the following item(s):

**LITIGATION & NEGOTIATION**

Assessor  
Town Attorney

**7:30 PM VIDEO CONFERENCE TELEVISED TOWN BOARD MEETING**

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR MATTHEW SLATER
5. REPORTS FROM TOWN COUNCIL
6. REPORT FROM HIGHWAY SUPERINTENDENT
7. POET LAUREATE  
John McMullen
8. PRESENTATION  
Sharon McCarthy, NAMI Westchester - Mental Health Awareness Month
9. PUBLIC HEARINGS  
DECISIONS

**Declaration of Lead Agency, Negative Declaration and General Maintenance Permit for the restoration of a portion of the wetland and repair to the Teatown Lake Dam on the property located at 1600 Spring Valley Road**

WHEREAS:

1. The Teatown Lake Reservation submitted applications to the Town for several upcoming projects:
  - a. dredging of a wetland buffer area located in the vicinity of the visitor center (includes removal of one 18-inch DBH tree),
  - b. repair and general maintenance of the Teatown Lake Dam,
  - c. remove invasive species from a Town-designated wetland with the use of herbicides. All removals to be performed with a brush hog/trac vehicles to minimize impact to environmentally sensitive areas.
  - d. general maintenance activities in and around the waterways and waterbodies on the property site.
2. The Applicant submitted plans for the subject property, entitled: Dam Restoration by Insite Engineering, P.C., 8 pages, dated 2/28/20 and Plan entitled: Wetland Restoration by Restiano Design and SWPPP Report by Willingham Engineering dated 01/20, 128 pages.
3. The work will require issuance of a Wetland, MS4 Stormwater Management & Tree Removal permit. As part of this application, Teatown Lake Reservation is requesting a Town General Permit for ongoing maintenance of the streams, ponds and drainage culverts throughout the Teatown Lake Reservation property.
4. The Approval Authority for this application is the Town Board as the proposed dredging work involves a land disturbance in excess of 200 cubic yards (estimated removal of dredged material from a wetland/watercourse approximately 600 cubic yards).
5. A Public Hearing was opened on 5/12/20. The Applicant reviewed technical details of the project being proposed. All work to be done in accordance with NYSDEC regulations that govern this work. As noted in the submitted documents, Applicant plans to remove the dredged material from the site.
6. The Town Board reviewed communications received from the Engineering Department, Planning Board, Tree Conservation Advisory Commission and Conservation Board. A response letter from NYCDEP dated 5/12/20 was also received. Applicant agreed a correction to the short EAF Question 9 was warranted as noted in the Planning Board communication dated 5/11/20. No members of the public spoke on this application.
7. The Public Hearing regarding this application was closed on 5/12/20.

**NOW THEREFORE BE IT RESOLVED:**

1. The Town Board declares itself Lead Agency for this Unlisted Item, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions under SEQRA.
2. That the Town of Yorktown shall adopt in its determination of significance under 6NYCRR Part 617.7, this *NEGATIVE DECLARATION*, indicating that information provided in the Environmental Assessment Form has sufficiently demonstrated that the proposed action will not result in significant adverse

- environmental impacts, and that an Environmental Impact Statement need not be prepared.
3. The Action is approved by the Town Board subject to compliance with the Town Code and adherence to the plan documents submitted in support of the application.
  4. As a General Permit, this Action will be valid for a duration of up to five (5) years subject to all permit conditions being followed. Applicant shall apply for yearly permit renewal and the Town Engineer will verify that all permit conditions have been met and all documentation has been submitted and accepted.
  5. A maximum of four (4) permit renewals shall be granted, for a total permit duration of five (5) years. The Town Engineer will report back to the Town Board should a permit renewal not be granted for cause.
  6. The following conditions are included as part of the Action: All items listed in the Conservation Board memo & NYCDEP letter referenced above shall be addressed in writing. All open comments listed in the Town Engineer's memo dated 2/21/20 and copied below hereto shall be addressed to the satisfaction of the Town Engineer prior to issuance of any permits.
    - A. In accordance with NYSDEC regulations the project documents shall state that a bi-weekly inspection will be performed to verify compliance in regards to erosion and sediment control. Inspections shall also be done following any storm events that are 1-inch rainfall or greater. Copies of inspection reports shall be prepared by a licensed professional and/or the certified soil erosion inspector and sent to the Engineering Department for our records.
    - B. Applicant will be required to furnish a copy of the waste manifest for any soil material that is trucked off-site.

**Declaration of Lead Agency, Negative Declaration and Wetland/SWPPP Permits to dredge a pond on property located at 1390 Old Logging Road**

**WHEREAS:**

1. The Engineering Department received an application, short Environmental Assessment Form and engineering plans for the subject property, entitled: Pond Dredging Wetland Application, prepared by Tracy Chalifoux, Registered Landscape Architect, 3 sheets, dated 1/03/20.
2. The work will require issuance of a Wetland & MS4 Stormwater Management permit.
3. The Approval Authority for this application is the Town Board as the work will be performed on a waterbody and proposed dredging work involves a land disturbance greater than 200 cubic yards of excavation/fill.
4. A Public Hearing was opened on 5/12/20. The Applicant reviewed technical details of the project being proposed. As noted in the submitted documents, the Contractor plans to use suction harvesting to remove sediment from the pond and place into filter bags, which will then be stockpiled adjacent to the waterbody. Water from the filter bags will drain back into the pond for several months. After the soil is sufficiently dried, it will be removed from the site.
5. All work will be done in accordance with NYSDEC regulations that govern this work.

6. The Town Board reviewed communications received from the Engineering Department, Planning Board, Tree Conservation Advisory Commission and Conservation Board. A response letter from NYCDEP dated 5/12/20 was also received. Applicant agreed to relocate the soil stockpile location and make a correction to the short EAF Question 9 as noted in the Planning Board communication dated 5/11/20.  
No members of the public spoke on this application.
7. The Public Hearing regarding this application was closed on 5/12/20.

**NOW THEREFORE BE IT RESOLVED, THAT:**

1. The Town Board declares itself Lead Agency for this Unlisted Item, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions under SEQRA.
2. The Town of Yorktown shall adopt in its determination of significance under 6NYCRR Part 617.7, this *NEGATIVE DECLARATION*, indicating that information provided in the Environmental Assessment Form has sufficiently demonstrated that the proposed action will not result in significant adverse environmental impacts, and that an Environmental Impact Statement need not be prepared.
3. The Action is approved by the Town Board subject to compliance with the Town Code and adherence to the plan documents submitted in support of the application.
4. The following conditions are included as part of the Action: All items listed in the Conservation Board memo & NYCDEP letter referenced above shall be addressed in writing. All open comments listed in the Town Engineer's memo dated 2/20/20 and copied below hereto shall be addressed to the satisfaction of the Town Engineer prior to issuance of any permits.
  - A. For the proposed dredging work, the Applicant must confirm if any permits will be needed from the Army Corps of Engineers, NYSDEC or NYCDEP. If any additional regulatory permits are required, must be listed on the Environmental Assessment Form, Question #2.
  - B. The Pond Dredging Site Plan must show the location of suction pumping, hoses, generator, etc.; should be located within the Limit of Disturbance and protected with a silt fence.
  - C. The project sequence of work indicates that the water level in the pond will remain full while the work proceeds. A turbidity curtain is proposed to keep any dirty water from flowing out of the pond. Submit details on the proposed turbidity curtain.
  - D. Old Logging Road is a narrow unpaved roadway. Need to provide a truck management plan to show how sediment will be loaded into trucks and safely navigate through the site.
  - E. Additional soil erosion and sediment control measures are needed for the movement of sediment off-site. Suggest a drainage swale be incorporated between the filter bag and pond to keep disturbed soils from flowing into the pond.

- F. In accordance with NYSDEC regulations the project documents shall state that a bi-weekly inspection will be performed to verify compliance in regards to erosion and sediment control. Inspections shall also be done following any storm events that are 1-inch rainfall or greater. Copies of inspection reports shall be prepared by a licensed professional and/or the certified soil erosion inspector and sent to the Engineering Department for our records.
- G. Applicant will be required to furnish a copy of the waste manifest for any soil material that is trucked off-site.
- H. No tree removals are proposed or allowed as part of this application.

CONVENES

**Public Hearing to consider Stormwater Pollution Prevention Plan/Tree Permit Application received from Westchester Modular Homes Corp. – Construction of single family home on Madison Court**

Supervisor Matt Slater will convene a rescheduled public hearing to consider the Stormwater Pollution Prevention Plan/Tree Permit Application received from Westchester Modular Homes Corp., on behalf of Katie & Damian Carparelli, for property located at Madison Court, Yorktown, New York, also known as Section 37.09, Block 1, Lot 10 on the Tax Map of the Town of Yorktown for the construction of a single-family dwelling.

**Public Hearing to consider Stormwater Pollution Prevention Plan/Wetland/Tree Permit Application received from Panbar Realty – Reconstruct of a single family home at 3617 Buckhorn**

Supervisor Matt Slater will convene a rescheduled public hearing to consider the Stormwater Pollution Prevention Plan/Wetland/Tree Permit Application received from Panbar Realty, as Contract Vendee, for property located at 3617 Buckhorn Street, Yorktown, New York, also known as Section 16.10, Block 4, Lot 20 on the Tax Map of the Town of Yorktown for the reconstruction of a damaged single-family house.

10. COURTESY OF THE FLOOR

11. WORK SESSION AGENDA

- Reboot Yorktown – Thompson Bender; Sergio Esposito, Yorktown Chamber of Commerce; Bob Giordano, Yorktown Small Business Association
- NYSEG LED Light Replacement Program - Dave Paganelli, Highway Superintendent
- Relocation of American Flag at Veterans Memorial Field - Dave Paganelli, Highway Superintendent; John Tegeder, Director of Planning; James Martorano, Jr., Superintendent Parks and Recreation
- COVID-19 Workplace Safety Upgrades - Margaret Gspuring, Building Maintenance; John Landi, Building Inspector
- Railroad Park Update - John Tegeder, Director of Planning
- COVID-19 Community Signs - John Tegeder, Director of Planning

- Low Pressure Sewer Legislation - Mike Quinn, Town Engineer; John Tegeder, Director of Planning; Joseph Riina, P.E., Site Design Consultants
- Pump Station Rehabilitation Update - Mike Quinn, Town Engineer

12. RESOLUTIONS

**Authorize Comptroller to reimburse tuition for Police Officer John E. Doherty in the amount of \$3,101.90**

RESOLVED, the Town Comptroller is authorized to reimburse Police Officer John E. Doherty for tuition expenses in the amount of \$3,101.90.

**Authorize Supervisor to sign an Inter-Municipal Agreement with the County of Westchester to receive New York State Transportation Services funding in the amount of \$3,322.00**

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Inter-Municipal Agreement with the County of Westchester to receive New York State Transportation Services funding in the amount of \$3,322.00. This is for the period April 1, 2020 through March 31, 2021.

**Authorize Town Supervisor to sign the Request for EBO Login Form and accept the EBO System User Agreement for the completion of work on contract #LD035992 with the New York State Department of Transportation (NYSDOT) for the Rehabilitation of the Yorktown Heights Railroad Station**

WHEREAS, the Town of Yorktown (the “Sponsor”) has Contract #LD035992 with the New York State Department of Transportation (NYSDOT) for the Rehabilitation of the Yorktown Heights Railroad Station; and

WHEREAS, as part of this contract the NYSDOT requires logging of contract and construction progress in the Equitable Business Opportunity (EBO) system; and

WHEREAS, the Responsible Local Official (RLO) functions as the EBO administrator for the Sponsor and the Sponsor must notify the NYSDOT when there is a change in the RLO so access can be changed; and

BE IT NOW RESOLVED, that as of January 1, 2020 Matthew Slater is the Town of Yorktown Supervisor and RLO for the Town of Yorktown, therefore the Town Board authorizes him to sign the Request for EBO Login Form and accept the EBO System User Agreement for the completion of work on this contract.

**Authorize Section 8 Housing Choice Voucher Program Coronavirus Aid Relief and Economic Security (CARES) Act, COVID-19 Statutory and Regulatory Waivers for Public Housing Agencies (PHA)**

WHEREAS, the Yorktown Section 8 Housing Choice Voucher (HCV) Program is seeking to obtain Town Board approval of its adoption of Coronavirus Aid Relief and Economic Security (CARES) Act, COVID-19 Statutory and Regulatory Waivers for Public Housing Agencies (PHA), published in notice PIH 2020-05 on April 10, 2020.

The CARES Act provides the Department of Housing and Urban Development (HUD) with broad authority to waive statutes and regulations for the HCV program. These waivers provide administrative relief and allow for alternative approaches to various aspects of public housing authority (PHA) operations to continue to house families, keep families in their homes and conduct critical operations that can be done remotely and safely.

WHEREAS the waivers/alternative requirements are effective for immediate use by the PHA as of the date of the notice, HUD has waived the requirement and allowed the PHA administrative plan to be revised on a temporary basis without Board approval. As an alternative requirement, any informally adopted revisions under this waiver authority must be formerly adopted as soon as practicable following June 30, 2020 but no later than July 31, 2020.

BE IT RESOLVED, that the Town Board is hereby authorizing the revisions outlined in the Attachment: Summary of Public Housing and HCV Waivers and Requirements be adopted.

The HCV program is funded by Housing Assistance Payments Account maintained by the Section 8 office and funded by U.S. Department of Housing and Urban Development (“HUD”) and is at no cost to the Town of Yorktown.

13. ADJOURN

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

Dated: May 19, 2020

**\*\*\*AGENDAS ARE SUBJECT TO CHANGE\*\*\***

**Instructions for the Public to participate in Town Board Meetings Remotely:**

The Town Board of the Town of Yorktown will not be meeting in person. In accordance with the Governor’s Executive Order 202.1, until further notice, meetings will be held via video conferencing. The Town of Yorktown will televise a video conference Town Board meeting for 7:30 pm on Tuesday, May 19, 2020. The Town Board will open the meeting and then vote to go into an Executive Session beginning at 6:30 p.m.

**There are two public hearings on the agenda and you can register with the Town Clerk if you would like to speak during these public hearings. Please make sure to register in advance for this meeting at [dquast@yorktownny.org](mailto:dquast@yorktownny.org) or call me at (914) 962-8152.** You will need to provide your name, phone number and email address when registering so we can send a confirmation to you containing instructions on how to join the meeting. You can also email comments in advance of the meeting to [dquast@yorktownny.org](mailto:dquast@yorktownny.org). All written comments received before the meeting will be given to the Town Board.

You will have an opportunity to see and hear the meeting live on Channel 20 (Cable) or Channel 33 (Fios). If you have a computer, tablet, or smartphone, you will be able to see and hear the meeting while it is occurring on the Town's website at [yorktownny.org](http://yorktownny.org). If you have any questions, please contact me at [dquast@yorktownny.org](mailto:dquast@yorktownny.org) or (914) 962-8152.