

Zoom Video Conference Meeting of the Town Board, Town of Yorktown held on Tuesday, April 20, 2021 held in Yorktown Heights, New York 10598.

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

Also Present: Diana L. Quast, 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 conduct interviews for ABACA and the LWRP Committee as well as to discuss litigation and negotiations. Upon motion made by Councilwoman Roker, seconded by Councilman Diana, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Councilman Lachterman led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Slater asked all to join in a moment of silence to remember Monsignor Brennan from St. Patrick's Church, who passed away this past weekend. Supervisor Slater also asked for reflection upon the George Floyd verdict that was passed down today. He asked to remember our first responders and police, and all those who are on the front lines overseas protecting our freedoms here at home, and those fighting on the frontlines of the COVID pandemic.

INTRODUCTIONS

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

DURING REPORTS FROM TOWN SUPERVISOR MATTHEW SLATER

Supervisor Slater announced the following:

- He said that he hoped today's verdict in the George Floyd case demonstrates that no one is above the law and that it closes a very ugly chapter in our nation's history. He said it is time to focus on healing, building mutual respect for one another, and creating a better and more prosperous future for all American citizens.
- COVID numbers continue on a downward trajectory.
- Town Hall and the Library will be opening their doors on May 3 in a safe and responsible manner. Town Hall will be open from 8:00 a.m. to 12:00 p.m. The Library will be open their normal hours but with a capacity limit of 50% (150 people).
- The Town continues to partner with a number of local pharmacies to offer the vaccine at pop-up clinics. After this Thursday, the Town will have helped vaccinate more than 3,000 people. He thanked Acme, SaveMor Pharmacy, and Taconic Pharmacy for being phenomenal partners in the community.
- The Department of Health grant for the fluoride project has been extended to July 31. He said that they have been working everyday on the project to move it forward and the expectation is to have it mostly completed by end of May. The extension allows the Town to make sure the paperwork is in and are fully reimbursed for the grant.
- Supervisor Slater said federal grants were submitted to Congressman Mondaire Jones with the help of the Laberge Group. Two grant applications were submitted – one for the complete overhaul of the police radio system and one for the Hallocks Mill Sewer District Extension project.
- The Veterans Road Culvert Project is now complete. Supervisor Slater thanked the Water Department, Highway Department, and the Engineering Department.

- The Hill Boulevard Project is continuing. Hill Boulevard is closed and progress is being made setting up the sewer bypass, which is the last step before the old bridge is removed and the new bridge put in. This project is still several months before completion.
- The Restaurant Revitalization Fund Program has been announced again. There is information for all small restaurant owners on the Town's website.
- Supervisor Slater reminded everyone the tax deadline is at the end of the month (April 30) for local and county taxes. You can pay online, mail, use the dropbox in front of Town Hall, or call and make an appointment with the Tax Receiver to pay in person.
- The Battle of Yorktown will be held this coming weekend. If you are interested in getting involved, please contact the Refuse & Recycling Department.
- This Saturday is also the E-Waste, Textile, and Tire Program. Items may be brought to the Refuse & Recycling Department.
- Supervisor Slater said the Food Security Task Force met last night. Faith Butcher from United Way Westchester & Putnam (UWWP) met with the task force to discuss the ALICE Report. He said the fact of the matter is that one quarter of the Yorktown population is one emergency away from poverty. He said they are trying to find resources to help. The UWWP is teaming up with the Hudson Valley Credit Union to have a seminar on financial wellness tomorrow from 12:30 to 1:30 p.m. (information may be found on the community calendar).
- Food Waste Recycling is coming to Yorktown and is launching a logo contest in partnership with Teatown Reservation. If you are interested in participating, the deadline is May 15.

REPORTS FROM TOWN COUNCIL

Councilman Patel thanked everyone who is working on the fluoride project. He spoke about how well the Veterans Road project went. He said that taxes are a mandatory contribution we all have to make; without them, no infrastructure or services could be provided to residents.

Councilwoman Roker thanked Chief Noble and the Yorktown Police Department for participating in a study over the past year and opened the doors to what they do. She said it was eye opening. She said that even though they take an oath of office to work for the government, they take another oath in the Yorktown Police Department, which is more personal. Councilwoman Roker said she is appreciative of how Chief Noble hires new officers, the training they undergo, and the Chief who sets a model for the department.

Councilman Diana said he is happy to report about the Shrub Oak Getty Station being demolished. He said the pile of rubble looks good compared to what was there. The rubble will be gone shortly and the new construction will begin. He spoke of the importance of the Battle of Yorktown event to the Town. He said it is inspiring to watch people go out and take pride in the Town. Councilman Diana said there was a great turnout at the Sons of the American Legion's Sunday breakfast. He said the Sons of the American Legion are putting in a patio at the American Legion Post and said they would welcome volunteers.

Councilman Lachterman said the Teen Center is once again in operation on Friday nights from 6:00 – 9:00 p.m. COVID procedures are in place and it is limited to 10 participants per staff member. They currently have 2 staff members, which would allow 20 people. You can sign up at yorktowntc.org to reserve a spot. Councilman Lachterman said the County Mobile Shredder will be here on April 30 from 10:00 a.m. to 2:00 p.m. at the Shrub Oak Pool on Sunnyside Avenue. He said the Lions have their golf outing on June 7 at the Somers National Golf Course at Heritage Hills. More information may be found yorktownlionsclub.com. He said the Sons of the American Legion and the American Legion Post #1009 will be doing their Honor Tribute Banners again this year. They also had their Sunday Breakfast (held the third Sunday of every month) and all money raised goes to local veterans' services. Councilman Lachterman said the Sons of the American Legion have volunteered to install an outdoor patio for the American Legion so they may have an outdoor space for events.

Supervisor Slater said this Friday the Yorktown Stage is holding its first in-person production since COVID.

Councilman Lachterman said the Veterans Advisory Council will be having a meeting tomorrow at 7:00 p.m. at the VFW. If anyone is interested in attending, please contact him at his Town email

address. He said this is a council made up of veterans and people who work in veterans services to try to help combat our veterans' needs and help them navigate through the system.

REPORT FROM THE HIGHWAY SUPERINTENDENT

Highway Superintendent Dave Paganelli said he will be auctioning off some equipment and is trying to work out an arrangement with the Water Department to swap out some equipment. He said they have been doing a lot of tree work. He said first and foremost, the Highway Department does not take down live trees. He said the sweeper has been out for 4 weeks. He said in that time they have saved \$800/day or \$4,000/week for a total of \$16,000. He spoke about drainage work they have been doing and about future paving projects that he hopes come to fruition. Highway Superintendent said they will open the road at London Road to replace piping after having replaced the basins.

PROCLAMATION – ARBOR DAY

Upon motion made by Councilwoman Roker, seconded by Councilman Diana

WHEREAS, Arbor Day, which began in Nebraska in 1872, is now observed throughout the nation and world, and

WHEREAS, celebrating Arbor Day has been a tradition in Yorktown for more than 100 years, and

WHEREAS, Arbor Day in Yorktown is designed to recognize the benefits trees provide, and facilitate tree planting in Town parks, in or around wetlands and stream corridors, along our streets and highways, and around the properties of our homes and businesses, and

WHEREAS, Tree City USA, a program of the Arbor Day Foundation and the United States Forest Service, recognizes municipalities, counties and U.S. Armed Forces bases all across the country which meet established requirements for tree protection and promotion of the many benefits of healthy woodlands, and

WHEREAS, with the acceptance of its renewal application, this year marks the tenth consecutive year of Yorktown's designation as a Tree City USA and

WHEREAS, Yorktown, by joining with the more than 3,600 Tree City USA communities, is duly recognized for the efforts of its citizens and Town officials to promote a healthy environment for all.

BE IT RESOLVED, that I, Matt Slater, along with the Town Board of the Town of Yorktown, hereby proclaim Friday, April 30, 2021 as Arbor Day in the Town of Yorktown, and urge all citizens to celebrate Arbor Day and Yorktown's tenth anniversary as a Tree City USA and to support our trees and woodlands, and

NOW, THEREFORE, BE IT RESOLVED, to commemorate Arbor Day, a ceremonial tree planting will take place on the grounds of the John C. Hart Memorial Library on Friday, April 30, 2021.

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

APPOINT THOMAS J. MURPHY A POLICE OFFICER IN THE YORKTOWN POLICE DEPARTMENT

RESOLUTION #159

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

BE IT RESOLVED, that Thomas J. Murphy is hereby appointed Police Officer in the Town of Yorktown effective April 26th, 2021 to be paid \$58,253.00 annually;

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on April 26th, 2021.

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

REAPPOINT WILLIAM PRIMAVERA AS A MEMBER OF THE ADVISORY BOARD OF ARCHITECTURE & COMMUNITY APPEARANCE
RESOLUTION #160

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

Be It Resolved, that William Primavera is reappointed as a member of the Advisory Board of Architecture & Community Appearance for a three-year term expiring March 31, 2024.

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

REAPPOINT DAVID M. MCCONNELL AS A MEMBER OF THE ADVISORY BOARD OF ARCHITECTURE & COMMUNITY APPEARANCE
RESOLUTION #161

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

Be It Resolved, that David M. McConnell is reappointed as a member of the Advisory Board of Architecture & Community Appearance for a three-year term expiring March 31, 2024.

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

REAPPOINT CHRISTOPHER TAORMINA AS A MEMBER OF THE ADVISORY BOARD OF ARCHITECTURE & COMMUNITY APPEARANCE
RESOLUTION #162

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

Be It Resolved, that Christopher Taormina is reappointed as a member of the Advisory Board of Architecture & Community Appearance for a three-year term expiring March 31, 2024.

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

PRESENTATION – SUPPORT CONNECTION

Supervisor Slater introduced Kathy Quinn, Executive Director of Support Connection. Ms. Quinn said Support Connection is still doing things virtually and is offering many programs through their website. She said they will be hosting a golf outing that is going to be held on June 7. Ms. Quinn said she was contacted by the Family Services of Westchester about Project Hope, which is a program that was set up to help families deal with the stress of COVID. Project Hope offers free counseling Monday through Friday, 9:00 a.m. to 5:00 p.m., and may be reached at (914)708-6104. She said this is a great resource for people and allows people to talk about their fears and stress in a confidential setting.

Councilwoman Roker thanked Ms. Quinn for mentioning Family Services of Westchester; she said they are a great resource.

Councilman Lachterman asked where the golf outing would be held on June 7 and she said the Salem Golf Club. She wished both organizations (Yorktown Lions and Support Connection) much success on their events.

Councilman Patel said Support Connection is a great service for our community and thanked them for their services for those affected by breast and ovarian cancer.

Supervisor Slater asked Ms. Quinn for the location of Support Connection in Town. Ms. Quinn said they are located at 40 Triangle Shopping Center on the first floor and the phone number is (914)962-6402. She said if you or a family member is dealing with a breast or ovarian cancer diagnosis, they have professionally trained peer counselors, who are also cancer survivors and are there to offer support, guidance, information and many wellness programs, and webinars. Their hours are Monday through Friday, 9:00 a.m. to 5:00 p.m. Ms. Quinn said they are celebrating 25

years of service this year. Support Connection's annual Walk-a-Thon will be held Sunday, October 3 at 9:00 a.m. at possibly FDR State Park (they are waiting for COVID directives), however, people can do their own walks throughout the country.

Supervisor Slater thanked her for their service to the community and with their upcoming events.

POET LAUREATE

John McMullen, Poet Laureate, announced that it is National Poetry Month and read an original poem.

COURTESY OF THE FLOOR

The following members of the public spoke:

Mike Mattone, resident, congratulated the Town Board on the completion of the Veterans Road project. His company, the Mid-Hudson Valley Federal Credit Union, recently opened a new branch in a neighboring community. Mr. Mattone said when his company looks at communities to build in and grow in, they look for communities that provide them with more opportunities to serve consumers and that means additional housing. He said the work that the Town Board is doing to provide more housing opportunities is very important to the future of Yorktown. He said he would like to make himself a resource regarding a 2019 report that he shared information on from the Hudson Valley Pattern for Progress. As they continue to go about finding the best way to improve the viability of Yorktown through things like the overlay districts and multifamily housing, he said the Town should be mindful of things like the unaffordability right now in Yorktown and the ways that we can look at affordability housing, workforce housing, set-asides, and other types of solutions that help people bridge the gap between their current income situation and the current housing costs. He said he had submitted a letter to the Town Board concerning the proposed overlay districts that he hoped the Board would be able to review. Mr. Mattone said 100% market-rate housing might not always be the best solution, both short-term and long-term, for people who want to live here.

Councilwoman Roker asked Mr. Mattone to explain who goes to a federal credit union versus a bank and Mr. Mattone said banks and credit unions offer the same services. Typically, a bank is open to anyone and a credit union is typically restricted to people living within a certain geographical area or belong to a certain employment group or a series of employment groups. He said most credit unions today are community charter credit unions, which means anyone who lives, works, or worships in a certain geographic area is eligible to join.

Miriam Curtin, resident, thanked the Town Board for all of their work handling COVID, as well as for the fluoride project. Ms. Curtin said it is sometimes frustrating to watch the Town Board's apparent willingness to allow mixed-use over development and commercialization of the Soundview property by subjectively seeking to include this property in an overlay district without any factual or historic basis. She said that the Soundview property is not part of the Yorktown Heights business district. She said the Town sign in front of Town Hall acknowledges the border of the business district. She said that at a time when almost all of the strip malls and buildings in Town have vacancies, the Town Board is looking to expand the business district in order to allow over development and commercialization of the Soundview property, which is an historic property. Ms. Curtin said applying the overlay district to the Soundview property would not insure the protection of the historic Underhill House. She said that it would not guarantee that current Yorktown residents could downsize or be able to afford to live or even rent there. Ms. Curtin said this would not solve the current vacancy problems that exist in the Town. She said that the overlay district might be appropriate for the KMart Shopping Center but not for Soundview. She said it would ruin the last bit of historic charm that is on the way to downtown and would set a precedent for similar properties in the future, not to mention the infrastructure, traffic, noise, aesthetics, quality of life, pedestrian, and environmental concerns that not have been addressed. Ms. Curtin said Yorktown does not need another mixed-use development especially when the Town has other potential mixed-use, high-density proposals that are on the horizon for the business district. She said the Town Board has acknowledged that they are powerless to control which commercial tenants the developer could choose. Ms. Curtin said if the Town Board chooses to include the Soundview property in the overlay district, the Town could potentially see drive-thru fast food restaurants on the property. She said the property deserves more scrutiny and more respect.

Susan Siegel, resident, said this is the sixth time that members of the Committee for a Sound Plan for Soundview have addressed the Town Board urging the removal of the Soundview property from the proposed overlay district. She said that the Committee has stated facts that have never been refuted. She said that they have asked many questions that, regrettably, the Town Board has not answered, which is why tonight they are not here to repeat their questions, but to recap some of the false and misleading statements that have been refuted and to refute two new misleading statements. She said they corrected the false statement that only an overlay district could save historic buildings on the Soundview property. She said they explained that saving the buildings and finding new uses for them have nothing to do with the property's zoning designation. She said they corrected the misleading assumption that a majority of the units would be set aside for seniors. As explained, in compliance with the Federal Fair Housing Act, the units would be available to anyone, regardless of age. She said they corrected the misleading statement that including the Soundview property in the Yorktown Heights Overlay District is consistent with the Comprehensive Plan. Ms. Siegel said the Comprehensive Plan never considered the Soundview property as part of the business hamlet. Contrary to what critics have said, Ms. Siegel said they are not anti-progress or anti-development. She said they respect the right of property owners to develop their property in a way that is consistent with the Town's goals and its land use regulations. She said they believe that rezoning the Soundview property for multi-family housing at a lower, more reasonable density than what is allowed in the overlay law is a better and more appropriate alternative for the site and the Town. Commercial uses do not belong in a residential community and the existing Yorktown Heights business district should be strengthened, not expanded. Ms. Siegel said that their critics, who are desperate to come up with new arguments to discredit the committee, have called their rezoning proposal an illegal spot zoning. She said this is ridiculously wrong and their comments show a total lack of understanding of what constitutes spot zoning. She asked their critics to email the committee at soundviewplan@gmail.com and they will send a list of court cases they should have read before making erroneous and illogical statements. She said a rezoning to multifamily that conforms to the Comprehensive Plan's recommendations for housing diversity and economic development is not spot zoning. She said the Committee for a Sound Plan for Soundview has been criticized for not taking a stand in support of the proposed redevelopment of Yorktown Green – another misleading and flawed argument. She said their concern is the Soundview property, not the Yorktown Green.

Paul Moskowitz, resident, said he read Supervisor Slater's article in the Yorktown News, which led him to read the proposed overlay law. He said he likes parts of it. He said what the Town lacks in the Yorktown Heights District is a coherent plan. Right now, he said, it is sort of a hodge-podge and the Town can do a lot better than that. He said the proposed law lists some of the infrastructure, a list of historic buildings, and some "special" streets that have to be treated differently in terms of development. Mr. Moskowitz said the Town has to start somewhere and the overlay district law gives us a place to start in making Yorktown Heights a better business area. However, he said, there are some things lacking in the proposed law. He said there are many other infrastructure issues that the Town should be dealing with: sewers, water supply, electricity, traffic, Town services, natural resources (woodlands, streams, and wetlands), effect on school systems, etc. Mr. Moskowitz asked for a fuller exploration of the resources, as well as a map of the overlay districts, and a listing of the infrastructure. He said that an environmental assessment form to go along with the proposed law would be needed and perhaps a generic environmental impact statement. He asked how could the Town invite a business or development into town and not be able to tell them if we have sufficient sewers to support them.

Ilan Gilbert, resident, thanked the Town Board for all of their work, particularly the Veterans Road project, and their work assisting the public with COVID information and vaccinations. Mr. Gilbert said a local restaurant owner shared with him a concern she had, which is the crossing at Downing Drive and Route 118 since the connection is complete with FDR Park and the County Trailway. He said we encourage people to use the trail but this is not a safe crossing. Mr. Gilbert said the Town is receiving a lot of money over the next two years and he knows it has to be used wisely, but one thought is using traffic control devices in three or four different areas, not directly in the center of Town but near it. One of these devices could be placed at the Route 118 & Downing Drive intersection for not just pedestrians but also the cars making a difficult turn. Another location could be the exit of the Triangle Shopping Center where a pedestrian crossing could also be added. Mr. Gilbert said his concept is to join all four quadrants of downtown to help make it more walkable. He suggested another device be located at the exit of the Weyant Property, across from the Verizon building. He hopes this concept would be given consideration.

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

Councilwoman Roker said she attended the same DOT meeting as Mr. Gilbert. She said she felt that the intersection at Downing Drive and Route 118 is an accident waiting to happen. Councilwoman Roker said that years ago a traffic light was supposed to be installed at the Triangle Shopping Center and that Routes 35/202/118 is ripe for reconsideration by both the Town and DOT. Supervisor Slater said he spoke with the traffic consultant last week and the Town has had several projects on its docket for quite some time and they are trying to figure out how to improve several intersections in Town, including the Triangle Shopping Center area. Councilman Diana said they (the Traffic Safety Committee) had looked at the crossing at Downing Drive and Route 118 and there had been talk about possibly a crosswalk. He said that the Committee felt that a crosswalk provided a false sense of security and that there was no place for a “safety zone” or island for pedestrians who may need to stop while crossing. Councilman Diana said many people do not pay attention while crossing and felt that a crosswalk in that location may cause more harm than good. Supervisor Slater said the cost the Town initially received for the Triangle Shopping Center area was over \$1.5 million, the Route 118/Downing Drive signalization was \$750,000, and the Hallocks Mill Road intersection was another \$1 million; he said these are all big ticket items and ways to fund them need to be investigated and the State’s support is needed since all of these intersections are on state roads. He said the design aspect should be worked on in order to get the DOT’s support.

Supervisor Slater addressed Mr. Moskowitz and said he appreciated and agreed with his comments. He said that he thought the map was going to be part of the overlay legislation; if not, he said he would make sure it is uploaded onto the Town’s website.

Supervisor Slater said the Comprehensive Plan is viewed as a living document and the tool of overlay districts is in the Comprehensive Plan. He said that the Heights area in the 2010 plan is different from the Heights area today. Supervisor Slater said overlay zoning is being applied to an area that needs support and reinvestment. Director of Planning John Tegeder agreed and the Comprehensive Plan talked about and laid forth recommendations for types of overlay districts and recommended mapping three areas, but the recommendation for those types of overlay districts was not embodied in only those three districts that are found on the land use map. He said, in addition to that, there is a policy in the Land Use Chapter that states that on an ongoing basis the Town should look at areas to apply overlay zoning to protect certain resources – some that would benefit the environment, others that would benefit the community. Mr. Tegeder said he thought the Town Board was in very strict keeping with how the overlay zones were put forth in the Comprehensive Plan and also with the policy he mentioned earlier regarding an ongoing basis. He said, as things change, you look at ways that are going to protect the environment and benefit the community.

Councilman Lachterman said that every one of our citizens is entitled to have an opinion and thanked all for their comments – it is all a part of the process.

RECONVENE A PUBLIC HEARING TO CONSIDER THE PETITION FOR ZONING AND SITE PLAN AMENDMENTS SUBMITTED BY CUDDY & FEDER ON BEHALF OF KITCHAWAN BARNES, LLC FOR PROPERTY LOCATED AT 712 KITCHAWAN ROAD.

Supervisor Matthew Slater reconvened a Public Hearing to consider the Petition for Zoning and Site Plan Amendments submitted by Cuddy & Feder on behalf of Kitchawan Barnes, LLC for property located at 712 Kitchawan Road. The request for an amended site plan approval is for the proposed minor addition that will be located generally in the footprint of the prior storage building/greenhouse on the premises.

Supervisor Slater thanked the team from Cuddy & Feder for their memo that addressed the questions that were raised by the agencies who responded to the referral. He introduced Rebecca Valk from Cuddy & Feder, as well as the applicants Michael Katz and Steven Spiro (Kitchawan Barnes, LLC), as well as Michael Bodendorf from Hudson Land Design, and Peter Wintermantel from Aryeh Siegel Architect. She reiterated the steps that had taken place prior to this evening, including positive comments from the Conservation Board and the Planning Board, as well as comments received from the Westchester County Planning Board, and ABACA. She said they submitted a synopsis of their response to the various boards. She said they also recently met with DEP and it was determined that their project is outside of DEP’s jurisdiction and are expecting a

“no action” letter from them. Ms. Valk said Mr. Bodendorf also addressed Engineering’s concerns and plans are being revised accordingly.

Councilwoman Roker said that she thought the only reason the public hearing had been adjourned was to meet the SEQRA deadline. Supervisor Slater agreed and said it also gave time for the Engineering Department and DEP to meet with the applicants.

No members of the public spoke.

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman, the public hearing was closed.

Mr. Tegeder said a draft resolution is in progress. Supervisor Slater asked for both resolutions to be ready for the May 4th Town Board meeting.

RECONVENE A PUBLIC HEARING TO CONSIDER THE WETLANDS/STORMWATER PERMIT APPLICATION SUBMITTED BY CHRISTOPHER & AMANDA COLLIER FOR THE CONSTRUCTION OF A NEW HOUSE ON PROPERTY LOCATED AT 2572 GREGORY STREET

Supervisor Matthew Slater reconvened a Public Hearing to consider the Wetlands/Stormwater Permit Application submitted by Christopher & Amanda Collier for the construction of a new house on property located at 2572 Gregory Street. The proposed work includes moving wetlands from the proposed house location to wetlands at rear.

Supervisor Slater introduced the team handling the permit application: Joel Greenburg, project architect, and Steve Coleman, environmental engineer. Mr. Greenburg said Mr. Coleman went back to the site and verified that the two wetlands are connected. Mr. Coleman also checked the possibility of a vernal pool at the rear of the property and found none. Mr. Greenburg displayed a map showing the connection between the wetlands and showed an area that was questionable wetland but determined not to be so. Joe Barrett, the landscape architect, reviewed the plantings that would be used, per issues that came up at the last public hearing (protecting the outside wetlands and buffer zones).

Councilwoman Roker asked if they responded to both the Tree Conservation Advisory Committee and the Conservation Boards directly and Mr. Barrett said that he believed yes. Mr. Greenburg said the Conservation Board had no issues and Councilwoman Roker asked if they had responded to the Tree Conservation Advisory Committee and Mr. Greenburg asked if they could obtain an approval subject to the easement and approval from the Tree Conservation Advisory Committee.

Director of Planning John Tegeder said, as far as he was concerned, the applicant has responded to all of his comments satisfactorily.

Town Engineer Dan Ciarcia said he felt the same. He said he reviewed the stormwater plan and the applicant has done the necessary testing.

No members of the public spoke.

Upon motion made by Councilwoman Roker, seconded by Councilman Diana, the public hearing was closed.

Supervisor Slater asked for the approving resolutions to be prepared and for the applicant to obtain the necessary approval from the Tree Conservation Advisory Committee.

WETLANDS/STORMWATER/TREE PERMIT APPLICATION SUBMITTED BY GEORGE D. YANCOPOULOS FOR THE PURPOSE OF ACCESSING A NEW DRIVEWAY.

This Public Hearing was postponed at the request of Joseph Riina, Engineer for the project.

AUTHORIZE TOWN SUPERVISOR TO APPLY FOR A HUDSON VALLEY GREENWAY COMPACT PLANNING GRANT RESOLUTION #163

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

WHEREAS, the Town of Yorktown seeks to apply to the Hudson River Valley Greenway for a Hudson River Valley Greenway Compact Planning Grant;

WHEREAS, the Town is a designated Greenway Compact Community, with a resolution filed with the Hudson River Valley Greenway office; and

WHEREAS, the Town adopted the regional Greenway Compact Plan entitled, “The Greenprint for a Sustainable Future the Westchester Way,” which Plan was adopted by Westchester County legislature in 2005; and

WHEREAS, the Town is seeking a Greenway Compact Communities Grant for a project known as the “Town of Yorktown Watershed Inventory”;

NOW, THEREFORE, be it resolved that the Town of Yorktown hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Compact Planning Grant Program, for a project known as the “Town of Yorktown Watershed Inventory” and located within this community; and

NOW, THEREFORE, the Town Supervisor is authorized to stipulate the amount of such grant application, plus a mix of direct funds and/or in-kind resources which will be identified to serve as any required “Match” that would be counted towards the Hudson River Valley Greenway’s award of grant funding, with it recognized that this Greenway Compact Grant is a matching funds program that requires a “dollar for dollar” match of funds awarded.

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

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
RESOLUTION #164

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

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. This is for the period April 1, 2021 through March 31, 2022.

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

AUTHORIZE SUPERVISOR TO EXECUTE AN INTER-MUNICIPAL AGREEMENT WITH THE COUNTY OF WESTCHESTER FOR THE STOP-DWI PROGRAM
RESOLUTION #165

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

RESOLVED, that the Supervisor is authorized to execute an Inter-municipal agreement with the County of Westchester for the STOP-DWI Program, retroactive to January 1, 2021 through December 31, 2025, for an amount not to exceed \$8,400 per year.

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

AUTHORIZE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SCHINDLER ELEVATOR CORPORATION FOR ELEVATOR MAINTENANCE AT THE JOHN C. HART MEMORIAL LIBRARY
RESOLUTION #166

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

RESOLVED, that the Supervisor is authorized to execute an agreement with Schindler Elevator Corporation, for the term of April 1, 2020 until March 31, 2025, for \$127/month (exclusive of taxes) , for the provision of elevator maintenance at the John C. Hart Library.

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

AUTHORIZE THE LISTED MOTORIZED EQUIPMENT WHICH ARE DEEMED OBSOLETE BY THE HIGHWAY DEPARTMENT TO BE SOLD AT AUCTION BY ABSOLUTE AUCTIONS & REALTY, INC.

RESOLUTION #167

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

Whereas, the Town of Yorktown Highway Department has found that certain motorized and used equipment are obsolete and no longer needed for public use by the Highway Department, and

Whereas, the Highway Department recommends to the Town Board that the listed motorized equipment be deemed obsolete and sold at auction by Absolute Auctions & Realty, Inc:

- 1995 John Deere Backhoe
- 1995 John Deere Backhoe
- 1994 Cushman, 3 wheel
- 1985 Kubota Excavator

Now, Therefore, Be It Resolved, that the above listed motorized equipment is deemed obsolete and will be sold at auction by Absolute Auctions & Realty, Inc.

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

AUTHORIZE TOWN CLERK TO ADVERTISE REQUEST FOR PROPOSALS FOR ENVIRONMENTAL PLANNING SERVICES FOR THE TOWN OF YORKTOWN
RESOLUTION #168

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

Resolved, that the Town Clerk is authorized to advertise Request for Proposals seeking professional consulting services from qualified planning firms to provide Environmental Planning Services to the Town of Yorktown.

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

AUTHORIZE TOWN CLERK TO ADVERTISE REQUEST FOR PROPOSALS FOR LAKE MOHEGAN GREEN INFRASTRUCTURE AND STORMWATER RETROFIT DESIGN FOR THE MOHEGAN LAKE IMPROVEMENT DISTRICT
RESOLUTION #169

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

Resolved, that the Town Clerk is authorized to advertise Request for Proposals for Lake Mohegan Green Infrastructure and Stormwater Retrofit Design for the Mohegan Lake Improvement District.

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE REFUSE & RECYCLING DEPARTMENT
RESOLUTION #170

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

Resolved, the Comptroller is hereby authorized to process the following budget transfers:

From:

SR.1002 Refuse & Recycling – Fund Balance \$25,800.00

To:

SR8160.490 Refuse & Recycling – Professional Services \$25,800.00

for the purpose of conducting a solid waste routing technology study.

Be It Further Resolved, that the Supervisor is authorized to sign a contract with MSW Consultants for the purpose of conducting this study.

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE HIGHWAY DEPARTMENT
RESOLUTION #171

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

Resolved, the Comptroller is hereby authorized to process the following budget transfers:

From:

D.1002 Highway – Fund Balance \$75,000.00

To:

D5110.201 Highway – Equipment \$75,000.00

for the purchase of a Caterpillar Loader from HO Penn under New York State contract pricing.

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

AWARD BID FOR REPAIR WORK ON TOWN AUTOMOBILES AND TRUCKS TO YORKTOWN AUTO BODY, INC.
RESOLUTION #172

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

Whereas, the following bids were received on Monday, April 12, 2021, for Repair Work on Town Automobiles and Trucks:

<u>Bidder</u>	<u>Labor Charge Hourly Rate:</u>	<u>Percentage (%) above Contractors cost the Town will be charged for all materials used:</u>
1. Thompkins Garage 1440 Croton Lake Road Yorktown Heights, NY 10598	\$45.00 for Automobiles No Bid for Trucks	10%
2. Yorktown Auto Body, Inc. 1798 Front Street Yorktown Heights, NY 10598	\$40.00 for Automobiles \$50.00 for Trucks	0%

Now, Therefore Be It Resolved, that the bid for Repair Work on Town Automobiles and Trucks is hereby awarded to Yorktown Auto Body, Inc., 1798 Front Street, Yorktown Heights, NY 10598.

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

AUTHORIZE COMPTROLLER TO REFUND THE FOLLOWING FIRST HALF SCHOOL TAX PENALTY FOR ACCOUNT NO. 4904000 IN THE AMOUNT OF \$142.61
RESOLUTION #173

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

Resolved, the Comptroller is authorized to refund the following First Half School Tax Penalty for account No. 4904000 in the amount of \$142.61.

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

A brief conversation was held regarding obsolete equipment and not holding onto them in order to save insurance costs and alleviate storage issues.

ADJOURN

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

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