

Meeting of the Town Board, Town of Yorktown held on May 24, 2016 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

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

#### TOWN BOARD MEETING

Supervisor Michael J. Grace called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Bernard, the Town Board moved into Executive Session to discuss the employment of a particular person.

Upon motion made by Councilman Diana, seconded by Councilman Lachterman, the Town Board moved out of Executive Session and proceeded with the meeting.

The Town Board was asked how much money was budgeted for the Feral Cat Program. Supervisor Grace stated he would look into it.

#### MS4 ANNUAL STORMWATER REPORT

Bruce Barber, Environmental Consultant gave the Town Board an update on the MS4 Annual Stormwater Report. A copy of the report is on the Town's website and in the Town Clerk's Office.

Mr. Ken Belfer asked if there were any efforts to control geese in the report.

Mr. Barber answered that there was not.

#### FRONT STREET PROPERTIES

Mr. George Roberta and Mr. Paul Labriola discussed development of their respective properties on Front Street. Supervisor Grace stated that there is a paper road in the area of these properties and ownership of that road will need to be determined. If the Town owns the paper road, a land swap could be done so that Mr. Labriola can construct a garage on his property. Supervisor Grace stated that the next step would be to put in your application request to rezone the properties.

#### REFER OUT PROPOSED LOCAL LAW AMENDING CHAPTER 300 - 3 (b) ENTITLED ZONING

##### RESOLUTION #234

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

RESOLVED, that the Town Clerk is hereby authorize to refer a proposed Local Law amending Chapter 300-3 (B) of the Code of the Town of Yorktown entitled "ZONING."

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency.

Please respond by sending or emailing your comments to [dquast@yorktownny.org](mailto:dquast@yorktownny.org) on or before June 17, 2016. A Public Hearing is scheduled for June 21, 2016.

TO: Westchester County Planning Board/Department  
Town of Cortlandt  
Town of New Castle  
Town of Ossining

Town of Somers

Town of Yorktown Agencies:

Building Inspector  
Planning Department/Board  
Police Department  
Town Attorney  
Town Board  
Town Engineer  
Zoning Board of Appeals  
File

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

REFER OUT PROPOSED LOCAL LAW AMENDING CHAPTER 300-3 (B) ENTITLED  
ZONING BY AMENDING DEFINITION OF HOME OCCUPATION  
RESOLUTION #235

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

RESOLVED, that the Town Clerk is hereby authorize to refer a proposed Local Law amending Chapter 300-3 (B) of the Code of the Town of Yorktown entitled “ZONING DEFINITIONS” by amending the definition of “HOME OCCUPATION.”

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency.

Please respond by sending or emailing your comments to [dquast@yorktownny.org](mailto:dquast@yorktownny.org) on or before June 17, 2016. A Public Hearing is scheduled for June 21, 2016.

TO: Westchester County Planning Board/Department  
Town of Cortlandt  
Town of New Castle  
Town of Ossining  
Town of Somers

Town of Yorktown Agencies:

Building Inspector  
Planning Department/Board  
Police Department  
Town Attorney  
Town Board  
Town Engineer  
Zoning Board of Appeals  
File

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

REFER OUT PROPOSED LOCAL LAW AMENDING CHAPTER 124-2 ENTITLED  
BLASTING AND EXPLOSIVES PERMIT REQUIRED INSURANCE  
RESOLUTION #236

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

RESOLVED, that the Town Clerk is hereby authorize to refer a Proposed Local Law amending Chapter 124-2 (C) of the Code of the Town of Yorktown entitled “BLASTING AND EXPLOSIVES PERMIT REQUIRED INSURANCE.”

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency.

Please respond by sending or emailing your comments to [dquast@yorktownny.org](mailto:dquast@yorktownny.org) on or before June 17, 2016. A Public Hearing is scheduled for June 21, 2016.

TO: Building Inspector  
Planning Department/Board  
Police Department  
Town Attorney  
Town Board  
Town Engineer  
File

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

REFER OUT PROPOSED LOCAL LAW AMENDING CHAPTER 201-2 ENTITLED LITTERING BY AMENDING SECTION 201-2 AND ADDING A NEW SECTION 201-10 ENTITLED IMAGES RECORDED VIOLATIONS RESOLUTION #237

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

RESOLVED, that the Town Clerk is hereby authorize to refer a proposed Local Law amending Chapter 201-2 of the Code of the Town of Yorktown entitled “LITTERING” by amending Section 201-2, entitled “DEFINITIONS” and adding a new Section 201-10 entitled “IMAGES RECORDED VIOLATIONS.”

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency.

Please respond by sending or emailing your comments to [dquast@yorktownny.org](mailto:dquast@yorktownny.org) on or before June 17, 2016. A Public Hearing is scheduled for June 21, 2016.

TO: Westchester County Planning Board/Department

Town of Yorktown Agencies:

Building Inspector  
Planning Department/Board  
Police Department  
Refuse and Recycling Department  
Town Attorney  
Town Board  
Town Engineer  
File

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

REFER OUT PROPOSED LOCAL LAW AMENDING CHAPTER 10 ENTITLED BOARDS AND COMMISSIONS BY ADDING A NEW ARTICLE X ENTITLED QUALITY OF LIFE COMMITTEE RESOLUTION #238

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

RESOLVED, that the Town Clerk is hereby authorize to refer a proposed Local Law amending Chapter 10 of the Code of the Town of Yorktown entitled “BOARDS AND COMMISSIONS” by adding a new Article X entitled “QUALITY OF LIFE COMMITTEE.”

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency.

Please respond by sending or emailing your comments to [dquast@yorktownny.org](mailto:dquast@yorktownny.org) on or before June 17, 2016. A Public Hearing is scheduled for July 5, 2016.

TO: Westchester County Planning Board/Department

Town of Yorktown Agencies:  
Planning Department/Board  
Town Attorney  
Town Board  
File

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

WAIVE THE FEE FOR USE OF THE YORKTOWN COMMUNITY AND CULTURAL CENTER ROOM 104 FROM MAY 26 – JUNE 9, 2016 BY THE TEEN CENTER RESOLUTION #239

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

Resolved, that the Town Board waives the fee of \$80.33 for the Teen Center to use Room 104 in the Yorktown Community and Cultural Center from May 26 – June 9, 2016.

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

WAIVE THE FEE FOR USE OF THE YORKTOWN COMMUNITY AND CULTURAL CENTER FROM JUNE 10 - JUNE 11, 2016 BY RELAY FOR LIFE RESOLUTION #240

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

Resolved, that the Town Board waives the fee of \$612.35 for Relay for Life to use the Yorktown Community and Cultural Center from June 10 – June 11, 2016.

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

AUTHORIZE SUPERVISOR TO SIGN AN AMENDED AGREEMENT WITH NCOURT FOR CREDIT CARD BAIL COLLECTION SERVICES RESOLUTION #241

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

RESOLVE that the nCourt Letter Addendum to the nCourt Agreement dated January 6, 2015, for credit card bail collection service to the Court be signed by the Town Supervisor.

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

RELEASE BONDS FOR THE NANCY ACRES / ELIZABETH SILVERMAN SUBDIVISION LOCATED ON WILIAMS DRIVE RESOLUTION #242

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

WHEREAS, Anna & John Csordas, as applicants, provided the Town with Check No. 1928 in the amount of \$15,000.00, which was deposited into the T33 account on November 23, 2009, to serve as the Performance Bond for the Nancy Acres / Elizabeth Silverman Subdivision, located on Williams Drive, and

WHEREAS, Anna & John Csordas , as applicants, posted Check No. 1929 in the amount of \$5,000.00, which was deposited into the T33 account on November 23, 2009, to serve as the Erosion Control Bond for the above referenced subdivision, and

WHEREAS, Elizabeth Silverman, as applicant, provided the Town with Check No. 3371 in the amount of \$1,000.00, which was deposited into the T33 account on September 30, 2010, to serve as the Erosion Control Bond for Excavation Permit #E-042-10, for the Elizabeth Silverman Subdivision located on Williams Drive, and

WHEREAS, the Town Engineer has informed this Board that a representative of his department has inspected the property and determined all public improvements have met Town requirements, NOW, THEREFORE BE IT

RESOLVED, that the above mentioned monies are hereby released to Anna & John Csordas and Elizabeth Silverman, 1195 Williams Drive, Shrub Oak, NY 10588.

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

DEDICATE PROPERTY TO BE USED FOR MUNICIPAL PURPOSES – STORMWATER  
MANAGEMENT – GAY RIDGE ROAD AND WINCHESTER COURT  
RESOLUTION #243

Upon motion made by Supervisor Grace, seconded by Councilman Bernard,

WHEREAS, the Town of Yorktown has come into the ownership of the parcels of property from V.S. Construction as per filed map 28496 filed on July 20, 2011; and known as 17.06-2-32.23 and 17.06-2-32.24; and

WHEREAS, the Town Board has determined that this property is only appropriate for municipal use for stormwater management; and

WHEREAS, the Town Board finds that dedication of these parcels is in the public interest and is consistent with applicable environmental laws, be it

RESOLVED, the Town of Yorktown does hereby formally declare and dedicate the following parcels for municipal purposes (stormwater management), and directs the Tax Receiver and Assessor to record such change in their records as appropriate;

S/B/L	Location
6.18-1-80.4	Gay Ridge Rd.
17.06-2-32.24	Winchester Court

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

ADJOURN

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

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Diana L. Quast, Town Clerk  
Town of Yorktown