



Town of Yorktown

Office of the Town Supervisor Matthew J. Slater

TOWN BOARD WORK SESSION

MEETING AGENDA

August 9, 2022

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 and Negotiations

7:00 PM OPEN SESSION

7:00pm **Welcome and Opening Remarks**

7:15pm **Fluoride**

Contact: Dan Ciarcia, Town Engineer

Discussion: Project Update

7:30pm **800 East Main St**

Contact: Janet Giris

John Tegeder, Director of Planning

Mark Weingarten

Discussion: Proposed re-development of contractors registered property

7:45pm **War on Terror Monument**

Contact: Matt Slater, Town Supervisor

John Tegeder, Director of planning

Discussion: Proposed project

8:00pm

Reconvene Public Hearing to consider amending Chapter 300 "ZONING," Article VII, entitled "Permitted Special Uses" by adding a new section 300-83 entitled "Boutique Hotel"

RESOLUTIONS

322 Chestnut Court

WHEREAS, Marie Randazzo-Bruno (“Applicant”) applied to the Town Board of the Town of Yorktown for a MS4 Stormwater Management Permit pursuant to Chapter 248 of the Town Code of the Town of Yorktown; and

WHEREAS, the applicant proposes to construct retaining walls and import 1,650 cubic yards of fill to construct a new patio and level off the back yard of a parcel situated in an R1-20 zoning district and,

WHEREAS, the action will require the placement of fill in excess of 200 cubic yards, and

WHEREAS, pursuant to Chapter 248 of the Town of Yorktown Town Code entitled “Stormwater Management and Erosion and Sediment Control” a stormwater permit is required for the proposed action in which the Town Board of the Town of Yorktown serves as approval authority; and

WHEREAS, pursuant to Chapter 270 of the Town of Yorktown Town Code entitled “Trees” a tree permit is not required for the proposed action based upon the representations of the applicant that no protected or specimen trees will be damaged or removed, and

WHEREAS, the applicant has submitted a Town of Yorktown MS4 Stormwater Management Permit application #FSWPP-63-21, dated November 24, 2021; and

WHEREAS, the applicant has submitted a short-form Environmental Assessment Form

(EAF), and

WHEREAS, the Town Board referred the application to the involved boards and agencies and received and considered the following memoranda:

Conservation Board January 21, 2022

Town Engineer July 19, 2022

Tree Conservation Advisory Committee December 7, 2021

WHEREAS, the proposed action has been determined to be an Unlisted Action under the

State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has considered all reasonably related long-term, short-term, direct, indirect, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions and determined that the action will not have a significant adverse impact on the environment, and now

THEREFORE, BE IT RESOLVED THAT, the following plans and documents are approved subject to the below-listed conditions;

- Plan entitled, “Proposed Site Alterations 322 Chestnut Court” prepared by Hudson Engineering & consulting , P.C., dated October 12, 2021, last revised November 16, 2021 (Sheet.C-1)
 - Stormwater Pollution Prevention Plan (SWPPP) dated November 18, 2021.
- and

BE IT FURTHER RESOLVED THAT, the Stormwater Permit is granted subject to the signing of the plans by the Town Supervisor and shall be valid for a period of one year from date of this resolution and that all work associated with the Permit shall be conducted in strict compliance with the approved plans; and

BE IT FURTHER RESOLVED THAT, the Stormwater Permit shall automatically expire upon completion of work; and

BE IT FURTHER RESOLVED THAT, the below-listed conditions must be completed within six months of the date of this Resolution or shall become null and void unless an extension is requested by the applicant (in writing) within said six-month period and granted by the Town Board; and

Conditions that must be met prior to the Supervisor signing the Plans:

1. All outstanding comments of the Town Engineer must be addressed to their written satisfaction. Final reports from the Town Engineer shall be submitted to the Town Board, which shall ensure that all outstanding comments have been satisfied and shall also address resolution conformance.
2. Prepare a Notice of Intent (NOI) to obtain coverage under the Stormwater General Permit for Construction Activity.
3. A construction monitoring fee in the amount of \$1,000 must be submitted to the Engineering Department Clerk.
4. An Erosion and Sediment Control Bond, or other collateral acceptable to the Town Board and in form acceptable to the Town Attorney, shall be submitted to the Engineering Department. Said security shall be in the amount of \$1,500 which shall be released upon required documentation of satisfactory completion of all work and stabilization of the site.
5. Address the conditions contained in the Conservation Board memo dated January 21, 2022
6. Reconfigure the wall as discussed in the Town Engineer’s memo and provide a stormwater practice with a level spreader to mitigate the impact to adjacent properties. Alternatively, the applicant may install a pipe through an easement on the downstream property to connect to the existing storm sewer in Trout Brook Drive.

Conditions of the Stormwater Permit

1. The applicant agrees to allow periodic inspections by the Town and its consultants.
2. No additional disturbance or modification to the approved plans is permitted without prior written approval from the Town Engineer.
3. A pre-construction meeting with the applicant's contractors and the Town Staff must be held prior to the commencement of work. The applicant must contact the Town Engineering Department at 914-962-5722 x220 at least 72 hours in advance of the meeting date to schedule the pre-construction meeting. All trees to be cut or pruned must be clearly marked in the field in accordance with the approved plan prior to the pre-construction meeting.

Additional Requirements to be Satisfied Subsequent to the Signing of the Plans:

1. The Town Engineer and must provide written report, no later than at the expiration date of the wetland and stormwater permit, documenting the status of the implementation of the requirements of this resolution.

Accept Conservation Easement Agreement for Atlantic Appliance

WHEREAS, Maple Hill Realty, LLC d/b/a Atlantic Appliance, are the record owners of certain real property located at 2010 Maple Hill Street and 2015 Greenwood Street, Yorktown Heights, Westchester County, New York, which property is also known and designated on the tax map of the Town of Yorktown as Section 37.15 Block 1 Lots 31 & 35 respectively, and is comprised of approximately 4.28 acres ("the Atlantic Appliance Property"); and

WHEREAS, on July 13, 2020, the Planning Board of the Town of Yorktown duly adopted Resolution #20-10 approving a site plan, stormwater management plan, wetland permit, and tree permit for the Atlantic Appliance Property; and

WHEREAS, said resolution required the granting of a conservation easement on Lot 35 as shown on a survey, entitled "Survey of Property prepared for Atlantic Appliance," prepared by Ward Carpenter Engineers, Inc., dated February 29, 2020, and last revised October 19, 2021;

WHEREAS, the Planning Department and Town Attorney have reviewed the draft conservation easement and survey and recommend it for signature by the Town Supervisor;

THEREFORE, BE IT NOW RESOLVED, that the Town Board authorizes the Town Supervisor to sign the conservation easement agreement with Maple Hill Realty, LLC, and

FURTHER RESOLVED that the conveyance documents shall be recorded by and at the expense of Maple Hill Realty, LLC; and be it

FURTHER RESOLVED, that a copy of the filed instruments shall be delivered to the Planning Department and Town Clerk within 120 days of the execution of said easement agreement.

Authorize the Yorktown Police Department to purchase two 2022 Ford Police Interceptor SUV's from the Westchester County contract

Be it Resolved, that the Town Board of the Town of Yorktown hereby authorizes the Yorktown Police Department to purchase two (2) 2022 Ford Police Interceptor SUVs from the Westchester County contract RFB-WC-19023, awarded to Beyer Ford in the amount of approximately thirty-three thousand, twenty-nine dollars (\$33,029.00) each, for a total amount of sixty-six thousand, fifty-eight dollars (\$66,058.00).

Authorize the Comptroller to process the following payout at separation

Be It Resolved that the Town Board hereby authorizes the Town Comptroller to pay Daniel Walczewski the cash value of unused time as of his date of separation

Rate of Pay: \$47.87

Vacation	133 hours	x	\$47.87 =	\$6,366.71
Personal	21 hours	x	\$47.87 =	\$1,005.27
Floating Holiday	14 hours	x	\$47.87 =	\$670.18
Total				\$8,042.16

Be It Further resolved that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:
A7020.101 Recreation Salary \$8,042.16
To:
A7020.108 Recreation Lump Sum Payments \$8,042.16

Authorize the Comptroller to process the following payout at retirement

Be it resolved that the Town Board hereby authorizes the Town Comptroller to pay John DeJulio

the cash value of unused time as of his retirement date

Rate of Pay: \$601.92 daily

Vacation	5 days	x	\$601.92	=	\$ 3,009.60
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Holiday Pay 7.4 days x \$601.92 = \$ 4,454.21

Accumulated Sick Days

89 days @ 75% = 66.75 days

66.75 days x \$601.92 = \$40,178.16

Longevity

\$9,371 / 260 days = \$36.05 per day

07/04/22 to 07/22/22 = 15 days

15 days x \$36.05 = \$540.75

Total \$48,182.72

Be it further resolved that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:

A3120.106 Police Longevity \$ 540.75

A3120.102 Police Salary – Uniform \$ 7,463.81

A.1002.8 General Fund Reserve for Accrued Employee Benefits

\$40,178.16

To:

A3120.108 Police Lump Sum Payments \$48,182.72

Authorize the Superintendent of Highway to purchase two 2024 Freightliner 114SD Cab/classics

RESOLVED, the Town Board grants permission to the Supt. of Highways to purchase two (2) 2024 or later, Freightliner 114SD Cab/Chassis, Stainless Steel Bodies & Plows from the County of Onondaga Bid, in the amount of \$472,465.00.

Authorize the Comptroller to process the following budget transfer

Be it Resolved that the Town Board authorizes the Town Comptroller to do the following budget transfer to fund two (2) 2024 or later Freightliner, 114SD Cab/Chassis, Stainless Steel Bodies and Plows.

From: Highway Fund Balance \$472,465.00

To: D5110.201 Highway Equipment \$472,465.00

Authorize the following budget transfer

Be it Resolved that the Town Board authorizes the following budget transfer to fund a drainage project, Curry/Douglas, pipe re-lining.

From: D5110.101 Highway Salaries \$22,000.00

To: D5110.479 Highway Drainage \$22,000.00

Authorize the release of an escrow deposit to Jason A. Levy

A representative of this Department has inspected the following sites and found the work to be completed satisfactorily. It is respectfully requested that the Town Board authorize the release of the following:

<u>Type of Permit</u>	<u>Permit #</u>	<u>Amount</u>	<u>Location</u>	<u>Refund To</u>
Street Opening	021-007	\$4000.00	1767 Jacob Rd	Jason A. Levy 1767 Jacob St. Yorktown, NY 10598
Driveway	DR1245	\$500.00	1767 Jacob Rd	Same as above

Authorize the release of an escrow deposit to Scott D. Carey

A representative of this Department has inspected the following sites and found the work to be completed satisfactorily. It is respectfully requested that the Town Board authorize the release of the following:

<u>Type of Permit</u>	<u>Permit #</u>	<u>Amount</u>	<u>Location</u>	<u>Refund To</u>
Street Opening	020-006	\$4000.00	2373 Evergreen St	Scott D. Carey 185 Rutledge Ave. Hawthorne, NY 10532

Authorize the Town Clerk to advertise bid for the Yorktown Courthouse Plaza Renovation

Resolved, that the Town Clerk is authorized to advertise a bid for the Yorktown Courthouse Plaza Renovation.

ADJOURN

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

Americans with Disabilities Act: If you need special assistance to participate in a Town meeting or other services offered by this Town, please contact the Town Clerk's office, (914) 962-5722, x210. Assisted listening devices are available at all meetings.