

Meeting of the Town Board, Town of Yorktown held on Tuesday, November 22, 2022 held in Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor
Thomas P. Diana, Councilman
Edward A. Lachterman, Councilman
Sergio Esposito, Councilman
Luciana Haughwout, 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 Councilman Esposito, the Town Board moved into Executive Session to discuss individual personnel issues and to conduct a committee interview. Upon motion made by Councilwoman Haughwout, seconded by Councilman Lachterman, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Police Chief Robert Noble led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Slater asked for a moment of silence to remember the power of gratitude, our first responders, and members of the military. He also asked to remember the victims of the nightclub shooting in Colorado who were targeted because of the LGBTQ status

INTRODUCTIONS

Town Board Members introduced themselves, as well as Town Clerk Diana Quast, and Town Attorney Adam Rodriguez.

DURING REPORTS FROM TOWN SUPERVISOR MATTHEW SLATER

Supervisor Slater reported on recent Town events and updates, including the following:

- Annual Turkey Trot this Thursday – all proceeds go to support United for the Troops, St. Mary's Food Pantry, and St. John's Food Pantry
- Route 118 Culvert Project has been delayed to December 9; however local business are open
- Holiday Lights Parade is scheduled for Saturday, December 3
- A Yorktown Police Department Planned Active Shooter Drill is scheduled for Sunday, December 4 at the Yorktown Town Hall. Volunteers are needed.

CHIEF ROBERT NOBLE AWARD

Supervisor Slater said members of the Town Board attended Westchester Blue Foundation’s annual dinner this past weekend. He said the Vanguard Award was presented to Chief Noble. Supervisor Slater said the Vanguard Award is bestowed upon a law enforcement officer who demonstrates true leadership, guidance, empathy, and holds true to the ideals consistent with the mission of Westchester Blue. He said that this is a very prestigious award but comes as no surprise to those who work and interact with Chief Noble. Supervisor Slater presented Chief Noble with a proclamation from the Town Board recognizing his achievements as Chief of Police, and recognizing Westchester Blue’s Vanguard Award and to say thank you on behalf of the Town of Yorktown.

The Town Board congratulated Chief Noble and spoke to him individually.

Chief Noble thanked the Town Board for their support and the proclamation. He also thanked his wife for her support, as well as his staff.

REPORTS FROM TOWN COUNCIL

Councilman Diana announced the Shrub Oak Tree Lighting on December 10, 6:30 p.m. at the John C. Hart Memorial Library.

Members of the Town Council reported on recent Town events and public service announcements.

2035 SAW MILL RIVER ROAD (MOBILE STATION) – SIGN PERMIT APPLICATION

Eric Young, applicant, said they are upgrading the image with downlighting that it is not facing the road, structures over the pumps for signage, and 3 “waves” that go over the pumps. Supervisor Slater asked Mr. Young if the original concept for the building was going ahead. Mr. Young said all he has are the changes he mentioned.

Director of Planning John Tegeder said he had no comments.

APPROVAL FOR APPLICATION FOR PROPOSED CANOPY AND GAS PUMP ENHANCEMENTS FOR MOBIL GAS STATION – 2035 SAW MILL RIVER ROAD RESOLUTION #506

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

RESOLVED, the application for a proposed canopy and gas pump enhancements for the Mobil Gas Station located at 2035 Saw Mill River Road is approved.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

800 EAST MAIN STREET – APPLICATION FOR REZONE

Mark Weingarten, attorney for the applicant, described the project, a 55-plus community, and said that he is here this evening to asked the Town Board to accept their application and declare their intent to act as Lead Agency in the SEQRA process and to refer out the application to appropriate agencies, as well as to the Planning Board.

ACCEPTANCE OF REZONE PETITION AND DECLARATION OF LEAD AGENCY FOR 800 EAST MAIN STREET DEV AMC LLC
RESOLUTION #507

Upon motion made by Supervisor Slater, seconded by Councilman Esposito,

RESOLVED, the Town Board accepts the rezoning petition submitted by 800 East Main Street DEV AMC, LLC and declares its intent to act as Lead Agency.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZATION TO REFER THE REZONE PETITION SUBMITTED BY 800 EAST MAIN STREET DEV AMC, LLC TO THE APPROPRIATE DEPARTMENT AND AGENCIES
RESOLUTION #508

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

RESOLVED, the Town Clerk is authorized to refer the rezone petition submitted by 800 East Main Street DEV AMC, LLC to the appropriate departments and agencies.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

3531 CROMPOND ROAD – TANK AND CANOPY PERMIT APPLICATION

Steven Tyree, Metro Environmental Services, said they are prepared to begin the project. Changes were made with the Planning Department: building a new trash enclosure, limit the number of parking spaces, adding an asphalt overlay, fence repair, shrub replacement in the front of the property.

Director of Planning John Tegeder said that they submitted a site plan with the parking shown with the condition to put a barrier or fence at the rear of the area so there is no parking on the grass behind it. Mr. Tegeder said that the Town has something to enforce.

APPROVAL OF GAS STATION TANK AND CANOPY PERMIT APPLICATION FOR 7-ELEVEN, INC. LOCATED AT 3451 CROMPOND ROAD
RESOLUTION #509

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

WHEREAS, Vincent Franceschelli on behalf of 7-Eleven, Inc. (“Applicant”) filed an application to the Town Board of the Town of Yorktown proposing to redevelop the instant parcel known as the Gulf Gasoline Filling Station (“Gulf Station”), which is located on certain real property,

located at 3451 Crompond Road and owned by 7-Eleven, Inc., Irving, Texas, also known on the Town Tax Map as Section 36.06, Block 1, and Lot 25 (the “Property”), which is situated within a C-4 zoning district; and

WHEREAS, the Applicant, in order to facilitate the re-development of the existing Gulf Station, submitted an application to the Town Board of the Town of Yorktown for a Special Use Permit for a Gasoline Filling Station pursuant to Town Code Section §300-46, dated January 28, 2022; and

WHEREAS, the Applicant proposes a redevelopment of the site which consists of demolition and removal of the existing Gulf Station gasoline pumps, three (3) new fuel pumps, with a total of six (6) fueling stations, all covered by a new 1,548 square foot canopy providing cover for customers and a state-of-the-art fire suppression system, on the northerly portion of the property, and the removal of existing fuel storage tanks with the installation of two (2) new fuel storage tanks, an existing building housing a small convenience store and a three bay repair garage which will remain, all of which would be operated by an agent or lessee of the Applicant; and

WHEREAS, a gasoline filling station is a main use permitted by special permit in the C-4 zoning district; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act (“SEQRA”), a Short Environmental Assessment Form prepared by the applicant, on November 22, 2022, was submitted with site plan documents, which was submitted on September 7, 2022 as follows:

1. A drawing, sheet G0.0 entitled “Fueling Canopy Cover Sheet,” prepared by Core States Group, dated August 24, 2021, no revisions; and
2. A drawing, sheet G0.1 entitled “Fueling Architectural Site Plan,” prepared by Core States Group, dated August 24, 2021, no revisions; and
3. A drawing, sheet G0.2 entitled “Fueling Truck Route,” prepared by Core States Group, dated August 24, 2021, no revisions; and
4. A drawing, sheet G0.3 entitled “Fueling Demolition Plan,” prepared by Core States Group, dated August 24, 2021, no revisions; and
5. A drawing, sheet G1.0 entitled “Fueling Piping and Tank Plan,” prepared by Core States Group, dated August 24, 2021, no revisions; and
6. A drawing, sheet G3.0 entitled “Tank Sections,” prepared by Core States Group, dated August 24, 2021, no revisions; and
7. A drawing, sheet G4.0 entitled “Tank Sump Details,” prepared by Core States Group, dated August 24, 2021, no revisions; and
8. A drawing, sheet G4.1 entitled “Tank Sump Details,” prepared by Core States Group, dated August 24, 2021, no revisions; and
9. A drawing, sheet G5.0 entitled “Dispenser and Sump Details,” prepared by Core States Group, dated August 24, 2021, no revisions; and
10. A drawing, sheet G6.0 entitled “Remote Vent and Details,” prepared by Core States Group, dated August 24, 2021, no revisions; and
11. A drawing, sheet G6.1 entitled “Fueling Dimensional Plan,” prepared by Core States Group,

- dated August 24, 2021, no revisions; and
12. A drawing, sheet G7.0 entitled “Equipment Schedules,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 13. A drawing, sheet G7.1 entitled “Equipment Schedule,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 14. A drawing, sheet G8.0 entitled “Fueling Canopy Layout,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 15. A drawing, sheet G8.1 entitled “Signage Details,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 16. A drawing, sheet G9.0 entitled “UST Electrical Plan,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 17. A drawing, sheet G9.1 entitled “N.E.C. Classified Area,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 18. A drawing, sheet G10.0 entitled “Miscellaneous Electrical Details,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 19. A drawing, sheet G11.0 entitled “Isolation Relay Box Detail,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 20. A drawing, sheet G12.0 entitled “Site monitoring Equipment Diagram,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 21. A drawing, sheet G13.0 entitled “Fueling Specifications,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 22. A drawing, sheet G14.0 entitled “Fueling Specifications,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 23. A drawing, sheet G15.0 entitled “Fueling Specifications,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 24. A drawing, sheet G16.0 entitled “Fueling Specifications,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 25. A drawing, G sheet 17.0 entitled “Fueling Specifications,” prepared by Core States Group, dated August 24, 2021, no revisions; and
 26. A drawing, sheet C1.20 entitled “Development Plan,” prepared by Sevan Engineering, dated September 27, 2022, and last revised September 28, 2022; and
 27. A drawing, entitled “Footcandles calculated at grade,” prepared by Cree Lighting, dated August 25, 2022, no revisions; and

WHEREAS, on March 14, 2022, the Yorktown Planning Board reviewed the application and issued a memorandum, which set forth concerns regarding the conditions at the site and expressed concern that and recommendation that the conditions at the site be remedied to the greatest extent possible as part of the immediate tank replacement project, including providing landscaping in the existing perimeter islands; and

WHEREAS, the Town Board has concluded that the EAF and supplemental materials submitted in connection with the Action “has identified, analyzed, and shown mitigation for all possible significant impacts,” and

WHEREAS, the notice and hearing requirements for this Application as provided for in the Code of the Town of Yorktown and New York State law have been satisfied; and

WHEREAS, the Application was presented to the Town Board at a duly noticed Public Hearing held on said application commencing on October 18, 2022 at the Town Hall, 363 Underhill Avenue in Yorktown Heights, New York and continuing and closing on October 18, 2022 at which the meeting was conducted via video conference; and

WHEREAS, following the close of the Public Hearing, and upon review of the EAF and accompanying empirical studies, expert reports, plans and other related materials submitted by the applicant, as well as all comments, memoranda and correspondence from its professional consultants and staff, the Planning Board, the public and neighbors residing in the vicinity of the Site, and in accordance with SEQRA, the Town Board as Lead Agency adopted a Negative Declaration dated November 22, 2022; and

WHEREAS, the Town Board has fully considered the Application, including the general “standards applicable to all special uses,” set forth in Section §300-36 of the Town Zoning Code, and adopts the following findings of fact:

1. The location and size of the proposed Gas Station, the nature and intensity of the operation involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it is in harmony with the appropriate and orderly development of the C-4 zoning district in which it is located; and
2. The location, nature and height of buildings and other associated structures and the extent of the landscaping on the site is such that the proposed Gas Station will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof; and
3. The operations in connection with the proposed Gas Station will not be more objectionable to nearby properties by reason of noise, vibration, excessive light, smoke, gas, fumes, odor or other atmospheric pollutants than would be the operations of any permitted uses; and
4. The associated parking areas are of adequate size for the proposed Gas Station, and are properly located and suitably screened from adjoining residential uses, and the entrance and exit drives are laid out so as to prevent traffic hazards and nuisances; and

WHEREAS, the Town Board has also considered the specific special use permit standards applicable to “gasoline filling stations,” set forth in Section §300-46 of the Town Zoning Code, and adopts the following additional findings of fact:

1. The use of the proposed Gas Station is limited to the retail sale of motor fuels and related merchandise and merchandise normally sold from within the convenience store. No sales or rental of new or used motor vehicles is proposed or permitted. Automobile repair or maintenance is permitted within the three-bay garage and no repair work shall take place outside the existing building.; and

2. The proposed Gas Station is located at least 300 feet from any building or place of public assembly; and
3. Approval of the proposed Gas Station would not result in more than two (2) gasoline filling stations within 1,000 feet and no other gas station is within 1,000 feet; and
4. Lot 25 upon which the proposed Gas Station is located contains 19,381 square feet which is below the minimum lot size of 20,000 square feet by 619 square feet; and
5. The lot frontage and depth of Lot 25 exceeds the required minimum 100 feet; and
6. The proposed Gas Station complies with the maximum driveway requirement; and
7. The maximum coverage of all buildings and structures, including the canopy, complies with the underlying C-4 zoning district; and
8. All buildings and structures are set back 10 feet from each side line. The building is setback 5 feet the rear lot line where 30 feet is required therefore requires a waiver from the Town Board in accordance with Section §300-46(Q) of the Zoning Code. The roof edge of the proposed canopy is set back at least 16 feet from the street right-of-way where 20 feet is required, and therefore requires a waiver from the Town Board in accordance with Section §300-46(Q) of the Zoning Code; and
9. The front yard setbacks are required to be landscaped to a depth of 5 feet; the proposed islands do not comply with this requirement; and
10. No more than two (2) fuel pumps per 3,000 square feet of lot area are proposed. The underground storage tanks fully comply with all applicable laws, codes and regulations; and
11. The height of the canopy is undetermined and not shown on the plans. The maximum height allowed is 18 feet and can be no greater than 3 feet from its underside to its highest point and must provide a minimum of 15 feet of clearance; and
12. The proposed Gas Station provides sufficient parking; and

WHEREAS, the Town Board has determined that the proposed Gas Station does not strictly comply with the following specific special permit criteria, for which variances and/or waivers from the Town Board pursuant to Section §300-46[Q] of the Zoning Code (which authorizes the Town Board, for good cause shown, to vary any of the specific special permit criteria set forth in Section §300-46) are required (the “Requested Waivers”):

1. The Application proposes a canopy, which is 16 feet from the Barger Street Right-of-way where 20 feet is required. Two fuel pumps are setback 23 feet from the Barger Street Right-of-way, where 25 feet is required; and

2. The Application proposes a rear yard setback of 5 feet where 30 feet is required; and

NOW, THEREFORE BE IT RESOLVED by the Town Board that, except for the Requested Waivers, the proposed Gas Station complies with both the general and specific special permit criteria; and be it further

RESOLVED, that Gulf Station having shown good cause for the grant of the Requested Waivers, the Requested Waivers as listed herein are hereby granted; and be it further

RESOLVED, that the application for the Proposed Special Permit, storm water pollution prevention plan and wetland permit is granted, subject to the following conditions:

1. There shall be no new or used car sales, automobile repair and maintenance shall be confined to the three bay garage on the Property; and
2. The Storm Water Pollution and Prevention plan must be reviewed by and modified, if required, to the Town Engineer's satisfaction. Any proposed modifications must be forwarded in writing to the Town Board for review and acceptance by the Town Board; and
3. The Applicant modify the lighting plan to include all light sources, existing and proposed to the satisfaction of the Town Board and all proposed and existing lighting shall comply with chapter 200. "Lighting" of the Town Code and be fully shielded inter alia; and
4. The Applicant must submit a signage plan for all signs to the Town Board for Approval; and
5. The applicant must submit a full set of architectural plans showing the branding and signage treatments on all structures, including the canopy to the Town Board for approval; and
6. The applicant must submit revised landscape plans proposing sufficient landscaping in the front yard setbacks for approval by the Town Board; and
7. The Applicant must submit a plan detailing the site alterations including overlaying the existing asphalt paving and new striping, a refuse enclosure relocated to an appropriate location and constructed of suitable materials, Modification or elimination of light poles that cause excess light spillage in contradiction of the lighting code, replacement of the chain link fence at the rear of the existing building to a type and design to the satisfaction of the Town Board, refurbishment of the corrugated guard rail at the eastern boundary of the asphalt pavement area, a barrier or fence acceptable to the Town Board at the western boundary of the pavement area; and
8. The Applicant shall provide a final site plan set for signature by the Town Supervisor; and be it further

RESOLVED, that unless a building permit is obtained within one (1) year of this adoption of this resolution, this approval shall become null and void.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

TOLL BROTHERS PROJECT – 2302 AND 2448 CATHERINE STREET – REZONE CODE
ADMENDMENT

David Cooper from Zarin & Steinmetz, attorney for the project, defined the project and said that he is here this evening to request acceptance of the rezoning petition, refer the project to the appropriate agency, and the Town Board’s declaration intent to act as Lead Agency under SEQRA.

Councilman Esposito raised the issue of the loss of the soccer field on the property. Mr. Cooper said his applicant is offering to contribute \$100,000 to the Parks & Recreation Department to go towards any improvement projects they have. Mr. Cooper said that field is subject to a lease, which he thinks expires in two years with the current site owners and would not be in use in perpetuity. Councilman Esposito said that he did think \$100,000 is going to go far towards replacement of a practice field. Mr. Cooper said that this should be weighed against the benefits of the project to the Town.

ACCEPTANCE OF REZONE PETITION AND DECLARATION OF LEAD AGENCY FOR
TOLL BROTHERS’ PROJECT AT 2302 and 2448 CATHERINE STREET
RESOLUTION #510

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

RESOLVED, the Town Board accepts the rezoning petition submitted by Toll Brothers for a project located at 2302 & 2448 Catherine Street and declares its intent to act as Lead Agency.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZATION TO REFER THE REZONE PETITION SUBMITTED BY TOLL
BROTHERS FOR PROJECT AT 2302 and 2448 CATHERINE STREET TO THE
APPROPRIATE DEPARTMENTS AND AGENCIES
RESOLUTION #511

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

RESOLVED, the Town Clerk is authorized to refer the rezone petition submitted by Toll Brothers for a project located at 2302 & 2448 Catherine Street to the appropriate departments and agencies.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE TOWN SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF WESTCHESTER FOR FUNDING THE TOWN TO PROVIDE SENIOR NUTRITION SERVICES

RESOLUTION #512

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

Resolved, that the Supervisor is authorized to enter into an Agreement with the County of Westchester for funding to the Town to provide senior nutrition services for a term retroactive to April 1, 2022 through September 30, 2024. Funding to the Town from the County shall not exceed \$90,304.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE AGREEMENT WITH LAKELAND CENTRAL SCHOOL DISTRICT

RESOLUTION #513

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

Resolved, the Supervisor is authorized to execute an extension to the agreement with the Lakeland Central School District for the provision of school resource officers through December 31, 2026.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR POLICE DEPARTMENT LAW ENFORCEMENT OFFICER TRAINING SIMULATOR WITH 2ND OFFICER EQUIPMENT

RESOLUTION #514

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

Resolved, Notice is Here Given that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York until 11:00 A.M. on Monday, December 12, 2022 for Police Department Pro Training Officer Training Simulator with 2nd Officer Equipment or equivalent.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE TOWN CLERK TO ADVERTISE A PUBLIC HEARING FOR HOMELAND TOWERS, LLC FOR A WETLAND PERMIT FOR PROPOSED CONSTRUCTION OF A WIRELESS TELECOMMUNICATION FACILITY AT HILL BOULEVARD, JEFFERSON VALLEY

RESOLUTION #515

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

Resolved, Notice is Here Given that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 20th day of December 2022 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to consider a wetland permit application submitted by Homeland Towers, LLC for the proposed construction of a telecommunications facility at Hill Boulevard, Jefferson Valley, NY.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE COMPTROLLER TO PROCESS A BUDGET TRANSFER FOR LEGAL SERVICES
RESOLUTION #516

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

Resolved, the Comptroller is authorized to process the following budget transfer:

From:		
A1002	General Fund – Fund Balance	\$43,711.25
To:		
A420.426	Legal – Outside Counsel Fees	\$43,711.25

for payment to Bleakley Platt & Schmidt LLP) for Extraordinary Legal Services as set forth in the agreement with Bleakley Platt & Schmidt, LLP.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE COMPTROLLER TO RELEASE THE ESCROW DEPOSIT FOR A STREET OPENING PERMIT TO WESTCHESTER MODULAR
RESOLUTION #517

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

Whereas, after a Highway Department representative inspected the following site and found the work to be completed satisfactorily; now, therefore, be it

Resolved, the Comptroller is authorized to release the Escrow Deposit for Street Opening Permit #022-007 for 3628 Flanders Drive in the amount of \$2,000.00 to Westchester Modular Homes, 1995 Route 22, Brewster, NY 10509.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE USE OF AACCCC NUTRITION ROOM AND WAIVE RENTAL FEE FOR THE YORKTOWN LIONS CLUB

RESOLUTION #518

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

RESOLVED, at the request of the Yorktown Lions Club, the Town Board hereby authorizes the use of the Albert A. Capellini Community & Cultural Center Nutrition Room for 8 hours of use on Saturday, December 3, 2022. The Town Board waives the rental fee of \$312.00.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

APPOINT MICHAEL G. HECKER TO THE POSITION OF TEMPORARY WATER MAINTENANCE FOREPERSON FOR THE WATER DEPARTMENT

RESOLUTION #519

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

BE IT RESOLVED, that Michael G. Hecker is hereby appointed Temporary Water Maintenance Foreperson, Job Class Code 0610-01 in the Water Department, effective November 28, 2022, to be paid from Yorktown CSEA Salary Schedule A, Group 14, Step 1, which is \$70,836 annually.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

MOHEGAN LAKE IMPROVEMENT DISTRICT

Ken Belfer, President of the Mohegan Lake Improvement Association gave a presentation on the Mohegan Lake 2022 activities and findings that included their short-term plans, long-term plans, and what is needed from the Town. The slide presentation included the following 2022 activities:

- Traditional copper treatments (tried new product – Earthtec)
- The grand total for permit treatments - \$41,150
- They have the best water quality this year in quite a while. He said they do not really know why but theories include the new treatment, the drought (less stormwater runoff)
- Health Department closures due to early morning algae blooms. The closures were from 6/28/11-7/13/22 and from 8/23/22 to Labor Day.
- The district participated in Iolight Microscope Citizen Science, Blue-Green Algae Study, partnered with BloomOptix and SUNY ESF
- Volunteer Cleanups at parks and trail maintenance and creation
- General Lake Maintenance including maintaining home-made aeration system, weed harvesting, lake litter cleanup, and they are in year 12 of water chestnut removal (invasive species)
- Short Term Plans include increasing the effectiveness of aeration (\$100,000 grant through Senator Harckham), testing biological treatments, explore alternatives to copper treatments, and address stormwater phosphorus inputs.
- Long-Term Strategy also includes addressing stormwater phosphorus inputs by installing stormwater phosphorus reduction BMPs (catch basin filters, MTDs, green stormwater

infrastructure) and to sewer the balance of the Mohegan Watershed. It also includes reducing available in-lake phosphorus (nutrient inactivation, maintain flushing rate of lake, and possible dredging)

- What is Needed from the Town includes:
 - Annual cleaning of catch basin
 - Keep outflow stream clear (resurrect Town-wide “Stream Team”)
 - Sewer Expansion (feasibility studies, infrastructure funding)
 - Stormwater Phosphorus Mitigation (infrastructure funding, ongoing maintenance budget)
 - Build out Rock Hill Park

Mr. Belfer said that while there is much to be done, there has never been better collaboration between the Town and the Lake Mohegan Community.

Supervisor Slater thanked Mr. Belfer for his leadership.

ADJOURN

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

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