



Town of Yorktown
Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD AGENDA

June 1, 2021

**Spadaccia Meeting Room
363 Underhill Avenue, Yorktown, NY 10598**

6:00 PM EXECUTIVE SESSION (Closed Session):

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

Personnel
Parks and Recreation

Litigation & Negotiations
Town Attorney

7:30 PM TELEVISED TOWN BOARD MEETING (Open Session)

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR MATTHEW J. SLATER
5. REPORTS FROM TOWN COUNCIL
6. PRESENTATION
Alliance for Safe Kids
7. PROCLAMATION - Declaring June Gay Pride Month
WHEREAS, June is recognized as Gay Pride Month; and

WHEREAS, the Town of Yorktown recognizes the many contributions to our community, county, state, and nation by Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) individuals which have included advancements in business, medicine law, education, music, sports, arts and culture; and

WHEREAS, members of the LGTBQ community come from all parts of our community regardless of color, ethnicity, religion, economic status or gender; and

WHEREAS, June is recognized as the Gay Pride Month because it marks the fifty-second anniversary of the Stonewall Rebellion, an event accepted as the single most important event leading to the fight for LGBTQ rights in our nation; and

WHEREAS, following the Stonewall Rebellion demonstrations, calls for equal rights and freedoms for members of the LGBTQ community were made across the country; and

WHEREAS, on June 12th a similar demonstration will be held to celebrate the LGBTQ members and continue our collective efforts to ensure equality, freedom, and rights of all are protected, preserved, and advanced;

NOW THEREFORE, BE IT RESOLVED, the Town of Yorktown recognizes and celebrates June as Gay Pride Month; and

BE IT FURTHER RESOVLED, the Town of Yorktown recommits itself to support and accept all members of our community regardless of race, religion, ethnicity, gender, sexual orientation or preference; and

BE IT FURTHER RESOLVED, the Town of Yorktown stands as a community of hope, generosity, and acceptance to everyone regardless of religion, race, national origin, ethnicity, culture, or orientation.

8. PERSONNEL

Accept Resignation from William Kellner from the Tree Conservation Advisory Commission

Resolved, that the Town Board accepts the resignation received from William Kellner with thanks for his many years of exemplary service to the community.

Appoint Library Director III – Yvonne Cech

BE IT RESOLVED, that Yvonne Cech, is hereby appointed provisional Library Director III, job class code 0217-01, at the John C. Hart Memorial Library, effective June 14, 2021, to be paid a salary of \$120,000.00 annually,

WHEREAS, the offer letter establishes an offer of employment for Yvonne Cech as the Library Director III as authorized by the Board of Trustees for the John C. Hart Memorial Library,

RESOLVED, upon the recommendation of the Board of Trustees for the John C. Hart Memorial Library, based on the offer letter, Yvonne Cech is hereby appointed provisional Library Director III at the John C. Hart Memorial Library.

9. POET LAUREATE

John McMullen

10. COURTESY OF THE FLOOR

11. RESOLUTIONS

Support passage of New York Assembly Bill A1456 designating the pedestrian bridge across the Taconic State Parkway as the “Atomic Veterans Memorial Bridge”

RESOLVED, the Town supports the passage of N.Y. Assembly Bill A1456, which designates the pedestrian bridge across the Taconic State Parkway located in the Town as the “Atomic Veterans Memorial Bridge.”

Authorize Town Clerk to advertise Public Hearing amending Chapter 275 of the Code of the Town of Yorktown entitled “Vehicles and Traffic,” by adding full stop signs at the Northwest corner of Granite Springs at its intersection with Quaker Church Road; and at the Northeast corner of Chesterfield Drive at the intersection with Cross Road

NOTICE IS HEREBY GIVEN that a public hearing will be held 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 15th day of June, 2021 at 7:30 o’clock PM, or as soon thereafter as the same can be heard, to consider amending Chapter 275 of the Code of the Town of Yorktown entitled “Vehicles and Traffic,” by adding full stop signs at the following locations: the Northwest corner of Granite Springs at its intersection with Quaker Church Road; and the Northeast corner of Chesterfield Drive at the intersection with Cross Road.

Approve MS4 Storm Water Management & Tree Removal Permit - #FSWPPP-T-016-20 for a proposed single-family residence on 2060 Allan Avenue, Panbar Realty, LLC

WHEREAS, The Panbar Realty, LLC submitted an application to the Engineering Department for a MS4 Storm Water Management & Tree Removal Permit - #FSWPPP-T-016-20 for a proposed single-family residence; and

WHEREAS, the Approval Authority for this permit application is the Town Board as the proposed work will involve a land disturbance in excess of 200 cubic yards; and

WHEREAS, the Applicant submitted engineering plans for the subject property prepared by John Karell, Jr., P.E. consisting of the following sheets:

- Existing Conditions (Sheet EC-1) dated May 4, 2020, last revised April 27, 2021
- Site Plan (Sheet S-1) dated May 4, 2020, last revised April 27, 2021
- Details (Sheet D-1) dated May 4, 2020, last revised April 27, 2021

WHEREAS, the Engineering Department performed a review of the submitted improvement plans and has determined that the revised plans address the comments; now

THEREFORE, BE IT RESOLVED THAT, the Town Board finds that the proposed regulated activity is consistent with the policies and goals of the Town Code as stated herein; and

BE IT FURTHER RESOLVED, that the Proposed Action minimizes to the extent practicable any adverse impact on public health and safety, soil erosion, wildlife habitat, and drainage, and will not be detrimental to adjoining properties; and

BE IT FURTHER RESOLVED, the 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. All work associated with the Wetland and Stormwater Permit shall be conducted in strict compliance with the approved plans; and

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

BE IT FURTHER RESOLVED THAT, the following conditions must be followed by the applicant:

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

1. The Town Stormwater Officer shall sign the MS4 acceptance form.
2. A construction monitoring fee in the amount of \$1,000.00 must be submitted to the Engineering Department Clerk.
3. 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 \$2,500.00 which shall be released upon required documentation of satisfactory completion of all work and stabilization of the site.
4. Curb cut and driveway detail must be approved, and a permit granted by the Town of Yorktown Highway Superintendent.
5. Town of Yorktown sewer and water connection permits must be obtained.
6. Submission of a Notice of Intent (NOI) in compliance with the requirements of NYSDEC.

Conditions that must be met prior to the commencement of work:

1. A Yorktown Building Permit must be obtained from the Building Department.
2. The property lines must be staked out by a licensed land surveyor prior to construction to ensure the proposed work occurs entirely within the Applicant's property.

3. **A pre-construction meeting must be held at the site.** The applicant or a representative must contact the Engineering Department **(914) 962-5722 x220** to arrange this meeting. All erosion controls and limits of disturbance lines (such as silt fence and orange construction fencing) are to be installed in accordance with the approved plan prior to this inspection.

Conditions that must be met during construction:

1. The entire scope of work is shown on the engineering plans referenced herein; no additional land disturbing activity of any kind shall be permitted without the issuance of a new permit by the appropriate approval authority. No further changes to the existing site topography shall be permitted and no protected trees shall be cut.
2. The guidelines contained in the NYSDEC Standards and Specifications for Erosion & Sediment Control, latest edition, shall be followed. At the end of each workday, soil stockpiles shall be covered. If not worked on for more than seven (7) days, stockpiles shall be seeded/mulched with a silt fence around the perimeter.
3. Only those trees specifically shown on the plans may be removed, a new permit shall be obtained from the Engineering Department, should the removal of any additional trees be required.
4. No soil storage outside the limit of disturbance line is permitted.
5. Road in front of property must be kept broom clean at all times.
6. A copy of the waste manifest for material exported from or imported to the site shall be provided to the Engineering Department.
7. The applicant or their representative shall notify the Engineering Department prior to the backfill of any underground stormwater management practices. The engineering inspector will confirm the required improvements have been satisfactorily completed. Applicant will be notified if any work is not acceptable.

Conditions that must be met after project completion.

1. The applicant or his representative shall fill out and submit a Construction Completion Certificate to the Town Engineer. The Engineering Department will then perform a final inspection to confirm the required improvements have been satisfactorily completed. Applicant will be notified of any discrepancies from the approved plans or if any work is not acceptable.
2. A Stormwater Maintenance Agreement shall be executed between the Town and the Applicant.
3. A final site survey showing as-built conditions shall be provided to the Engineering Department, provide a printed copy and in pdf format.
4. When area is stabilized and erosion control practices have been removed, the applicant shall notify the Engineering Department and schedule a final inspection.

Approve Release of Wetland Bond Permit #WP-126-04 in the amount of \$15,000.00 for work done at 383 Illington Road

WHEREAS, Andrew Quinn as applicant, posted \$5,000 to serve as the Erosion Control Bond and \$10,000 to serve as the Wetland Bond which was deposited to the T33 account on April 17, 2006 for Wetland Permit #WP-126-04.

WHEREAS, Andrew Quinn has requested his money be released as the site is now complete.

WHEREAS, the Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released.

NOW, THEREFORE BE IT RESOLVED, the above referenced bonds totaling \$15,000 be and are hereby released to Mr. Andrew Quinn, 383 Illington Road, Ossining, NY 10562.

Authorize Comptroller to process the following Budget Transfer for the Parks Department

The Comptroller is hereby authorized to process the following budget transfer:

From: A1990.499.1 Contingency Capital Projects \$8,500.00

To: A.7110.201 Parks – Equipment \$8,500.00

for the purchase and installation of security cameras at Railroad Park.

Approve increase in Tree Truck Purchase for Highway Department

Whereas, on May 18, 2021 the Town Board passed a budget transfer for the Highway Department in the amount of 483, 924.00 for the purchases of a Caterpillar Loader, a Tree Truck and a Ford F-350 Truck, now,

Therefore, Be it Resolved, that the cost of the Tree Truck has increased from 216,424 to 230,365 under Contract #PC68526, which is an increase of \$13,941.00 for the purchase of the Tree Truck.

Approve Reduction in Performance Bond for Zappico Construction in the amount of \$480,000.00 for work done at Orchard View Subdivision located on Sherry Drive

WHEREAS, Zappico Construction, LLC, as applicant, provided the Town with PCSB Bank Letter of Credit No. 6080027950 in the amount of \$500,000.00, to serve as the Performance Bond for the Orchard View Subdivision located on Sherry Drive, and,

WHEREAS, Zappico Construction has requested the Performance Bond be reduced.

WHEREAS, the required Performance Bond has been determined to be \$20,000 (\$500,000 - \$20,000 = \$480,000), now

THEREFORE, BE IT RESOLVED, the Letter of Credit is reduced to \$20,000 and will remain in full force and effect until the remaining improvements are completed.

Authorize Comptroller to payout the cash value of unused time to Maria Rivera, Salvador Rivera's Spouse as of date he was deceased

Be It Resolved that the Town Board hereby authorizes the Town Comptroller to pay Maria Rivera, Salvador Rivera's Spouse, the cash value of unused time as of the date he was deceased:

Rate of Pay: \$28.2701

Sick	37.5 hours	@ 50%	= 18.75 hours
	18.75 hours	x \$28.2701	= \$ 530.06
Vacation	187.00 hours	x \$28.2701	= \$5,286.50
Personal	18.00 hours	x \$28.2701	= \$ 508.86
Longevity	\$1,600 / 261 days = \$6.13 per day		
	06/04/20-06/04/21 = 261 days		
	261 days	x \$6.13	= \$1,600.00
		Total	\$7,925.42

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds as follows:

From:

A909.8	General Fund Reserve Employee Accrued Benefits	\$ 765.86
A6772.101	Nutrition Salary	\$5,795.36
A6772.106	Nutrition Longevity	\$1,600.00

To:

T903	Employee Medical	\$ 235.80
A6772.108	Nutrition Lump Sum Payments	\$7,925.42

Approve Tax Certiorari Proceedings for parcel known as Section 37.14 Block 1 Lot 45 and 46, 2013 and 2025 Crompond Road

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 37.14 Block 1 Lot 45 and 46, 2013 and 2025 Crompond Road on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 37.14 Block 1 Lot 45 and 46 Account Number 3591000 and 3591500, owned by Acme Realty for assessment roll years 2015, 2016, 2017, 2018, 2019 and 2020 are settled as set forth in the proposed stipulation as follows:

2013 Crompond Road Tax ID: 37.14-1-45

Roll Year	Assessed Value From	Assessed Value To	Reduction
2015	72,000	72,000	-0-
2016	72,000	72,000	-0-
2017	72,000	68,000	4,000
2018	72,000	68,000	4,000
2019	72,000	64,000	8,000
2020	72,000	60,000	12,000

2025 Crompond Road Tax ID: 37.14-1-46

Roll Year	Assessed Value From	Assessed Value To	Reduction
2015	53,400	53,400	-0-
2016	53,400	53,400	-0-
2017	53,400	53,400	-0-
2018	53,400	53,400	-0-
2019	53,400	53,400	-0-
2020	53,400	53,400	-0-

12. MONTHLY REPORTS

- Building Department
- Finance Department
- Receiver of Taxes
- Town Clerk

13. ADJOURN

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

Dated: June 1, 2021

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

The Town Board of the Town of Yorktown will not be meeting in person. Until further notice, meetings will be held via video conferencing.

The Town of Yorktown will televise a video conference Town Board meeting on Tuesday, June 1, 2021 beginning at 7:30 p.m.

Please make sure to register in advance if you would like to speak at Courtesy of the Floor for this meeting at dquast@yorktownny.org

You will need to provide your name, phone number and email address when registering so we can send a confirmation on how to join the meeting. You will have an opportunity to see and hear the meeting live on Channel 20 (Cable) or Channel 33 (Fios). You can also watch the meeting while it is occurring on the Town's website at yorktownny.org.

AGENDAS ARE SUBJECT TO CHANGE