



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD VIDEO CONFERENCE MEETING AGENDA

October 5, 2021

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

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

6:00 PM EXECUTIVE SESSION

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

Litigation and Negotiations

Town Clerk

Town Attorney

7:30 PM TELEVISED TOWN BOARD MEETING

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR MATTHEW J. SLATER
5. REPORTS FROM TOWN COUNCIL
6. REPORT FROM HIGHWAY SUPERINTENDENT
7. POET LAUREATE
John McMullen
8. PERSONNEL
**Accept retirement received from Michael Mill from the Sewer Department
effective January 15, 2022**
Resolved, that the Town Board accepts the retirement received from Michael Mill from the Sewer Department effective January 15, 2022, with thanks for his many years of service to the Town.

Accept retirement received from Kevin Alimonti from the Refuse and Recycling Department effective January 14, 2022

Resolved, that the Town Board accepts the retirement received from Kevin Alimonti from the Refuse and Recycling Department effective January 14, 2022, with thanks for his many years of service to the Town.

Accept resignation received from Brittanie O’Neill from the Building Department effective October 15, 2021

Resolved, that the Town Board accepts the resignation received from Brittanie O’Neill from the Building Department effective October 15, 2021.

9. **COURTESY OF THE FLOOR**

10. **PUBLIC HEARINGS**

Convene a Public Hearing to consider amending Chapter 300 of the Code of the Town of Yorktown entitled “ZONING; Section 300-81.4(c)”

Supervisor Matthew Slater will convene a public hearing to consider amending Chapter 300 of the Code of the Town of Yorktown entitled “ZONING; Section 300-81.4(c) of the Code of the Town of Yorktown as follows:

“LARGE-SCALE SOLAR ENERGY SYSTEM — A solar energy system that exceeds 20 kilowatts (kW) DC as rated by its nameplate capacity” shall be amended to read “LARGE-SCALE SOLAR ENERGY SYSTEM — A solar energy system that exceeds 25 kilowatts (kW) DC as rated by its nameplate capacity”.

“SMALL-SCALE SOLAR ENERGY SYSTEM — A solar energy system that does not exceed more than 20 kW DC as rated by its nameplate capacity, and serves only the buildings or structures on the lot upon which the system is located” shall be amended to read “SMALL-SCALE SOLAR ENERGY SYSTEM — A solar energy system that does not exceed more than 25 kW DC as rated by its nameplate capacity, and serves only the buildings or structures on the lot upon which the system is located”.

Convene Public Hearing to consider a Stormwater Pollution Prevention Plan Permit and Wetland Permit submitted by Con Edison to bury 465 feet of electric cable and to add a pad-mounted utility box within the wetland buffer on eastern side of Foothill Street

Supervisor Matthew Slater will convene a public hearing to consider a Stormwater Pollution Prevention Plan Permit and Wetland Permit submitted by Con Edison to bury 465 feet of electric cable and to add a pad-mounted utility box within the wetland buffer on the eastern side of Foothill Street in Yorktown Heights.

Convene Public Hearing to consider a Stormwater Pollution Prevention Plan Permit and Wetland Permit submitted by Con Edison in order to do gas main upgrades and replacements

Supervisor Matthew Slater will convene a public hearing to consider Stormwater Management Permits and Wetlands Permits submitted by Con Edison in order to do gas main upgrades and replacements at the following locations in Yorktown:

- Lexington Avenue and Storage Road
- East Main Street
- Broad Street

11. RESOLUTIONS

Authorize Supervisor to execute an Inter-municipal Agreement with the County of Westchester for the Town Police Department to utilize the firing range facility

RESOLVED, the Supervisor is authorized to execute an Inter-municipal Agreement with the County of Westchester for the Town Police Department to utilize the firing range facility located at the County’s Police Academy in Valhalla, New York, at the rate of Six Hundred and Thirty (\$630.00) Dollars per eight (8) hour tour. The term of the agreement shall commence upon execution and continue in full force and effect until July 31, 2025.

Authorize Chief of Police to execute an agreement with the Metropolitan Transportation Authority to provide the Town with access to the MTA’s Metropolitan Regional Radio System

RESOLVED, the Chief of Police is authorized to execute an agreement with the Metropolitan Transportation Authority for them to provide the Town with access to the MTA’s Metropolitan Regional Radio System for the purpose of public safety communications. The term of the agreement shall be for a period of fifteen years, for an annual not to exceed payment from the Town of \$10,000.

Authorize Comptroller to pay Michael Kahn the unused cash value of time as of his retirement date

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Michael Kahn the cash value of unused time as of his retirement date:

2021 Rate of Pay: \$54.1686 hourly
 Comp Time 38.81 hours x \$54.1686 = \$2,102.28
 2017 Rate of Pay: \$50.0721
 Personal Time 16.00 hours x \$50.0721 = \$ 801.15
 Longevity \$2,175 8/13/20-8/13/21 Paid Payroll 21 10/22/2020
 Date of Retirement 7/28/21 7/28/21 to 8/13/21 13 days
 \$2,175 / 261 = \$8.33 per day \$8.33 x 13 days = \$108.29 overpayment
 \$ -108.29
 Total \$2,795.14

Approve Tax Certiorari Proceedings for parcel known as Section 48.11 Block 1, Lot 50, 1520 Front Street

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 48.11 Block 1, Lot 50, 1520 Front Street on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 48.11 Block 1, Lot 50, Account Number 4439563, owned by Crown Delta and formerly owned by Chase Family Partnership for the assessment roll year 2017 is settled as set forth in the proposed stipulation as follows:

1520 Front Street Tax ID: 48.11-1-50

Roll Year	Assessed Value From	Assessed Value To	Reduction
2016	160,000	147,600	13,000

Release of Escrow Deposit – Street Opening Permit #020-005A

RESOLVED, the Comptroller is authorized to release the escrow deposit for Street Opening Permit #020-005A in the amount of \$2,000.00 for work done at 1473 Scofield Road, Yorktown, NY, as per the recommendation of the Highway Superintendent.

Approve the following vehicle to be deemed obsolete and either scrapped at Brookfield Metal or sold at auction by Absolute Auctions & Realty, Inc.

WHEREAS, the Town of Yorktown has found the following vehicle are obsolete and no longer needed for public use by the Town of Yorktown, and

WHEREAS, the Central Garage recommends to the Town Board that the listed vehicle be deemed obsolete and either scrapped at Brookfield Metal or sold at auction by Absolute Auctions & Realty, Inc.

2003 Ford Expedition Vin #1FMPU16L03LB79052

Authorize Barton & Loguidice, D.P.C. to perform an Environmental Review for the Ciuffetelli CDG Solar Project (aka Strawberry Road Solar) Proposed Site Plan

WHEREAS, the Planning Board of the Town of Yorktown desires to study the environmental impacts of the proposed solar farm outlined in their New Project Task Order Summary for the Ciuffetelli CDG Solar Project located at 1845 Strawberry Road & 1700 Route 6, Mohegan Lake, NY 10547, also known as Section 15.12, Block 1, Lots 12 & 30 on the Town of Yorktown Tax Map; and

WHEREAS, Barton & Loguidice, D.P.C., an environmental consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$5,500.00 and an additional visual assessment review for an amount not to exceed \$2,000.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of reviewing the proposed Ciuffetelli CDG Solar Project located at 1845 Strawberry Road & 1700 Route 6, in an amount not to exceed \$5,500.00 for the environmental review and in an amount not to exceed \$2,000.00 for a visual assessment review, should the Planning Board choose to include this review by the consultant, and that the total cost shall be reimbursed by the applicant as part of the cost of the application's review.

Authorize Barton & Loguidice, D.P.C. to perform an Environmental Review for the Foothill Solar Proposed Site Plan

WHEREAS, the Planning Board of the Town of Yorktown desires to study the environmental impacts of the proposed solar farm outlined in their New Project Task Order Summary for the Foothill Street Solar Farm located at 3849 Foothill Street, Mohegan Lake, NY 10547, also known as Section 15.07, Block 1, Lot 5 on the Town of Yorktown Tax Map; and

WHEREAS, Barton & Loguidice, D.P.C., an environmental consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$5,500.00 and an additional visual assessment review for an amount not to exceed \$2,000.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of reviewing the proposed Foothill Street Solar Farm located at 3849 Foothill Street, in an amount not to exceed \$5,500.00 for the environmental review and in an amount not to exceed \$2,000.00 for a visual assessment review, should the Planning Board choose to include this review by the consultant, and that the total cost shall be reimbursed by the applicant as part of the cost of the application's review.

Amend Resolution passed by the Town Board on September 21, 2021 authorizing the Comptroller to process a budget transfer for the purchase of a Toro Groundmaster 5910 Mower for the Parks Department

Resolved, that the Resolution passed by the Town Board on September 21, 2021 for the purchase of a Toro Groundmaster 5910 Mower for the Parks Department is hereby amended as follows:

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

From: A1990.499.1 General Fund – Capital Contingency \$125,667.50

To: A.7110.201 Parks – Equipment \$125,667.50

For the purchase of a Toro Groundmaster 5910 Mower from Turf Products under New York State Contract #031121-TTC pricing.

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

RESOLVED, the Comptroller is authorized to process the following budget transfer for the Parks Department:

From TE.000.0037 Park Land Trust - \$45,000.00

To A.7110.454 Parks Improvements - \$45,000.00

For the purchase of a Miracle Playground Unit under New York State Sourcewell Contract #010521.

12. MONTHLY REPORTS

Town Clerk
Finance Department
Receiver of Taxes
Building Department

13. ADJOURN

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

Dated: October 5, 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, October 5, 2021 beginning at 7:30 p.m.

Please make sure to register in advance if you would like to speak at the Public Hearings or at Courtesy of the Floor during this meeting with the Town Clerk at dquast@yorktownny.org or 914-962-8152

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

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