



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD VIDEO CONFERENCE MEETING AGENDA

October 19, 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 only**

6:00 PM EXECUTIVE SESSION

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

Personnel

John C. Hart Memorial Library

Litigation and Negotiations

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. PROCLAMATIONS
Breast Cancer Awareness Month
German-American Heritage Month
Italian-American Heritage Month
National Domestic Violence Awareness Month

8. POET LAUREATE

John McMullen

9. PERSONNEL

Accept retirement received from Ed Mahoney from the Sewer Department effective October 25, 2021

Resolved, that the Town Board accepts the retirement received from Ed Mahoney from the Sewer Department effective October 25, 2021, with thanks for his many years of service to the Town.

10. COURTESY OF THE FLOOR

11. PUBLIC HEARINGS

DECISION

Adopt Local Law amending Chapter 300 of the Code of the Town of Yorktown entitled “ZONING; Section 300-81.4(c)”

WHEREAS, a public hearing was duly held on October 5, 2021, pursuant to notice duly published as required by law to amend 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”.

DECISION

Stormwater Pollution Prevention Plan Permit and Wetland Permit submitted by Con Edison in order to do gas main upgrades and replacements

Reconvene 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 reconvene 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.

12. RESOLUTIONS

Authorize the Town Comptroller to transfer \$11,500.00 from D5110.425 to D5142.403 for the purchase of M2000 for the Highway Department

Resolved, that the Comptroller is authorized to process the following budget transfer for the Highway Department: \$11,500.00 from D5110.425 to D5142.403 for the purchase of M2000.

Authorize Comptroller to process the following Budget Transfers for the Highway Department:

Resolved, that the Comptroller is authorized to process the following Budget Transfer for the Highway Department:

From: D5112.210 Highway – Paving \$185,000.00

To: D5112.205 Highway – Equipment \$185,000.00

for the purchase of two Ford F550 Trucks from Beyer Ford under New York State Contract #PC68923.

Authorize an amended scope and increase in fee for Traffic Study by Sam Schwartz Engineering, DPC for the Taco Bell Restaurant in the Route 6 Office Development at Route 6 and Mohegan Avenue

WHEREAS, the Town Board of the Town of Yorktown authorized a study of the traffic impact of the proposed site plan known as Taco Bell Restaurant located in the Route 6 Office Development, proposed on the southwest corner side of Route 6 and Mohegan Avenue by resolution dated June 8, 2021; and

WHEREAS, the Planning Board of the Town of Yorktown determined that additional study of crash data related to the traffic impact of the proposed site plan known as Taco Bell Restaurant is warranted; and

WHEREAS, Sam Schwartz Engineering, DPC has submitted the original proposal to provide the traffic analysis for the site plan pursuant to said on-call agreement for an amount not to exceed \$5,000.00 for the traffic analysis; and

WHEREAS, Sam Schwartz Engineering, DPC has submitted an amended proposal to provide the crash data analysis for an additional amount not to exceed \$4,200.00 which totals an amount of \$9,200.00 for the traffic analysis; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Sam Schwartz Engineering, DPC under the on-call agreement with the Town of Yorktown for the purpose of analyzing the traffic impacts of the commercial site plan know as Taco Bell Restaurant, located on the Route 6 Office Development, for an additional \$4,200.00 for a total amount not to exceed \$9,200.00 for the traffic analysis, and that the total cost shall be reimbursed by the applicant as part of the cost of the application's review.

Resolution to Authorize Transpo Group to conduct traffic analyses for the proposed Yorktown Heights and Lake Osceola Overlay Zoning Districts

WHEREAS, the Town Board of the Town of Yorktown has proposed new Overlay zoning districts for the Yorktown Heights and Lake Osceola areas of Yorktown and desires to evaluate the traffic impact of the proposed overlay districts; and

WHEREAS, Transpo Group, a traffic 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 6, 2021; and

WHEREAS, Transpo Group has submitted a proposal to provide the traffic analysis for the overlay districts pursuant to said on-call agreement for an amount not to exceed \$6,828.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Transpo Group under the on-call agreement with the Town of Yorktown for the purpose of analyzing the traffic impacts of the Overlay zoning districts for the Yorktown Heights and Lake Osceola areas of Yorktown, in an amount not to exceed \$6,828.00.

Authorize Town Clerk to advertise Bids for the replacement of boilers in Town Hall, the Albert A. Capellini Community and Cultural Center, and the Police Department

RESOLVED, that the Town Clerk is authorize to advertise bids for the replacement of boilers in Town Hall, the Albert A. Capellini Community and Cultural Center, and the Police Department Headquarters.

Apply for EFC Grant, Declare Lead Agency Status, and classify Action as a Type II Action for the "NYWIIA Cleaning and Cement Mortar Lining of Water Main Project

WHEREAS, the Town of Yorktown (Yorktown) Town Board, acting as Yorktown Consolidated Water District, is proposing to undertake a project and action entitled 'NYWIIA Cleaning and Cement Mortar Lining of Water Main Project'; and

WHEREAS, a NYWIIA Cleaning and Cement Mortar Lining of Water Main Project will target cleaning and relining of existing water mains on Strawberry

Road, Hanover Street, Underhill Avenue, and Front Street, which are select portions of roughly 22,000 Linear Feet (LF) of existing six (6) and eight (8) inch Ductile Iron Pipe waterline proposed for cleaning and relining around Front Street, Underhill Avenue, Hanover Street, Baldwin Road, Dogwood Drive, Strawberry Road, Granite Springs Road, Sarles Drive, Windmill Drive, Sunrise Street and Knoll Place, and as all are addressed in the ‘Cement Lining Project EFC Report’, by Weston & Sampson, PE, LS, LA, PC; and

WHEREAS, the Yorktown Town Board seeks to apply for external financing assistance for this NYWIIA Cleaning and Cement Mortar Lining of Water Main Project from the New York State Environmental Facilities Corporation (EFC) under the New York State Water Infrastructure Improvement Act and it is working up a detailed proposed financing plan for this project; and

WHEREAS, per 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations), under the State Environmental Quality Review Act (SEQRA), Section 617.5 provides that certain actions identified in subdivision (c) of that section are defined as Type II, which means that such actions are not subject to environmental review under the Environmental Conservation Law because such actions have been determined not to have a significant impact on the environment; and

WHEREAS, the Town Board will undertake the role of the Lead Agency for the review of this potential action and the consideration as to whether there is a potential for adverse impacts of this project in accordance with SEQRA;

NOW, THEREFORE, BE IT RESOLVED, the Yorktown Town Board does hereby consent to the Town applying to the NYS Environmental Facilities Corporation for New York State Water Infrastructure Improvement Act funding assistance of up to 60% of total project costs for the NYWIIA Cleaning and Cement Mortar Lining of Water Main Project; and

NOW, THEREFORE, BE IT RESOLVED, the Town Supervisor is authorized and designated as representative for this NYWIIA Cleaning and Cement Mortar Lining of Water Main Project and will generate all necessary information for this submission as may be required, including the financing plan and all understandings and assurances, and is directed to compile the necessary financial match/financing program, and may execute any contract and/or agreement with the New York State EFC and fully proceed with implementing an award for said application; and

BE IT FURTHER RESOLVED, that the Yorktown Town Board does hereby establish itself as the Lead Agency for the SEQRA review regarding the NYWIIA Cleaning and Cement Mortar Lining of Water Main project; and

BE IT FURTHER RESOLVED, that the Town Board does hereby determine that the ‘NYWIIA Cleaning and Cement Mortar Lining of Water Main’ project and, in fact, all work involved with the broader action of cleaning and relining 22,000 Linear Feet (LF) of existing six (6) and eight (8) inch Ductile Iron Pipe waterline, is a Type II Action in accordance with 6 NYCRR Section 617.5(c)(1), 6 NYCRR Section 617.5(c)(2), and/ or 6 NYCRR Section 617.5(c)(6), and is therefore not subject to further review under 6 NYCRR Section 617.

Authorize Comptroller to refund the listed Duplicate First Half School Tax Payments

Resolved, that the Comptroller is authorized to refund the following Duplicate Tax Payments:

<u>Account No:</u>	<u>Amount</u>	
4296060	\$12,789.74	Refund Duplicate First Half School Tax
0542604	\$ 1,076.42	Refund Duplicate First Half School Tax
0483500	\$ 2,793.56	Refund Duplicate First Half School Tax
2289000	\$ 6,407.23	Refund Duplicate First Half School Tax
2999006	\$10,386.97	Refund Duplicate First Half School Tax
3924000	\$ 4,405.08	Refund Duplicate First Half School Tax
1172000	\$ 4,690.10	Refund Duplicate First Half School Tax
3345500	\$ 3,604.16	Refund Duplicate First Half School Tax
1446500	\$ 2,828.26	Refund Duplicate First Half School Tax
1358600	\$ 3,378.90	Refund Duplicate First Half School Tax
1338500	\$ 3,854.44	Refund Duplicate First Half School Tax
1430500	\$ 3,754.33	Refund Duplicate First Half School Tax
1643000	\$ 2,577.97	Refund Duplicate First Half School Tax
0541650	\$ 1,845.29	Refund Duplicate First Half School Tax
1576500	\$ 4,129.76	Refund Duplicate First Half School Tax
2218516	\$ 643.80	Refund Duplicate First Half School Tax
2917000	\$ 4,485.07	Refund Duplicate First Half School Tax
1325000	\$ 3,629.18	Refund Duplicate First Half School Tax
4816500	\$ 7,708.89	Refund Duplicate First Half School Tax
4771050	\$ 9,210.62	Refund Duplicate First Half School Tax
3249500	\$ 4,905.65	Refund Duplicate First Half School Tax
1628500	\$ 2,978.43	Refund Duplicate First Half School Tax
0238000	\$ 5,474.85	Refund Duplicate First Half School Tax
0541674	\$ 691.99	Refund Duplicate First Half School Tax
4055000	\$ 1,326.53	Refund Duplicate First Half School Tax
2998013	\$ 5,766.51	Refund Duplicate First Half School Tax
0608000	\$ 3,408.65	Refund Duplicate First Half School Tax
1500516	\$ 6,332.30	Refund Duplicate First Half School Tax
2771000	\$ 4,883.63	Refund Duplicate First Half School Tax
0325000	\$ 615.10	Refund Duplicate First Half School Tax

WORK SESSION

Stormwater Management Permit - 2678 Gregory Street

13. ADJOURN

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

Dated: October 19, 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 19, 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*****