



# Town of Yorktown

*Office of the Town Clerk Diana L. Quast*

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## **FINAL TOWN BOARD MEETING AGENDA**

**Wednesday, September 21, 2022**

**Spadaccia Meeting Room**

**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

Town Attorney

### **7:00 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. PROCLAMATION

Recognizing National Hispanic Heritage Month

WHEREAS, the observance of National Hispanic Heritage Month celebrates the histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

WHEREAS, the observation started in 1968 as Hispanic Heritage Week under President Lyndon Johnson and was expanded by President Ronald Reagan in 1988 to cover a 30-day period starting on September 15 and ending on October 15; and

WHEREAS, the day of September 15 is significant because it is the anniversary of independence for Latin American countries Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua; and

NOW, THERFORE, BE IT RESOLVED, that the Town Board of the Town of Yorktown recognizes and celebrates National Hispanic Heritage Month.

7. POET LAUREATE

John McMullen

8. PERSONNEL

**Appoint Paula Alicea to the position of Assessment Clerk in the Assessor's Office**

BE IT RESOLVED, that Paula Alicea, is hereby appointed permanent to the civil service title, Assessment Clerk job class code 0089-01, from Eligible List No. 66-909, within the Assessor Department, effective September 26, 2022 to be paid from Yorktown CSEA Salary Schedule A-1, Group 10, Step 5 which is \$73,271.00 annually;

BE IT RESOLVED, that this appointment is subject to a probationary period of no more than 12 weeks, commencing on the first date of appointment on September 26, 2022.

9. COURTESY OF THE FLOOR

10. PUBLIC HEARING

Decision: Proposed Local Law amending Chapter 300-52 to add Boutique Hotels

**Adopt Negative Declaration for Local Law amending Chapter 300-52 to add "Boutique Hotels"**

WHEREAS, the Town Board is considering an amendment to Chapter 300, entitled "Zoning" by amending Article VII, Section 300-52 to add "Boutique Hotel" ("Action"); and

WHEREAS, the Town Board, being the sole approval authority, is lead agency by operation of law; and

WHEREAS, on June 10, 2022, Town Clerk duly transmitted the proposed local law and Full EAF dated June 9, 2022 to all Interested Agencies; and

NOW THEREFORE BE IT RESOLVED, THAT:

1. The Town Board hereby assumes Lead Agency status in connection with the SEQRA review of the Action.
2. That the Town of Yorktown shall adopt in its determination of significance this NEGATIVE DECLARATION, indicating that information provided in the Environmental Assessment Form has sufficiently demonstrated that the proposed action will not result in significant adverse environmental impacts.

**Adopt Local Law amending Chapter 300, entitled "Zoning" by amending Article VII, Section 300-52 to add "Boutique Hotel"**

WHEREAS, the Town Board of the Town of Yorktown has undertaken to adopt a new local law relating to amending Chapter 300, entitled "Zoning" by amending

Article VII, Section 300-52 to add “Boutique Hotel”; and

WHEREAS, the Town Board, being the sole approval authority, is lead agency by operation of law; and

WHEREAS, the adoption of a new local law relating to amending Chapter 300, entitled “Zoning” by amending Article VII, Section 300-52 to add “Boutique Hotel” is a Type I action under SEQRA; and

WHEREAS, the proposed local law was referred to and reviewed by the Advisory Board on Architecture and Community Appearance, Building Inspector, Conservation Board, Engineering Department, Yorktown Heights Fire Company Engine #1, Highway Department, Planning Department, Police Department, Public Safety Committee, Yorktown Central School District, Tree Conservation Advisory Commission, Water Department and Zoning Board of Appeals of the Town of Yorktown; and by the Westchester County Planning Board/Department, Westchester County Department of Health, Westchester County Environmental Facilities, Westchester County Soil and Water; and by the New York State Department of Conservation, Albany & Region III, New York State Department of Transportation, New York State Army Corps of Engineers; and the New York City Department of Environmental Protection; and the Town of Cortlandt, Town of Ossining, Town of Putnam Valley; Town of Somers; and

WHEREAS, modifications to the proposed local law have been made to incorporate the comments and recommendations of the reviewing boards and departments; and

WHEREAS, the Town Board convened a Public Hearing with respect to the proposed local law on August 3, 2022, which was adjourned and reconvened and closed on September 6, 2022; and

WHEREAS, it appears to the satisfaction of the Town Board that adoption of this proposed local law will have no significant adverse impacts; and

NOW, THEREFORE BE IT HEREBY RESOLVED, that the proposed local law shall be adopted by roll call vote of the Town Board of the Town of Yorktown.

#### 11. RESOLUTIONS

##### **From the Assessor’s Office**

##### **Authorize Supervisor to sign a contract with Reich Reich & Reich PC Attorneys at Law to represent the Town in an adversary proceeding**

Resolved, that the Supervisor is authorized to sign a contract with Reich Reich & Reich PC Attorneys at Law to represent the Town in an adversary proceeding.

**From the Engineering Department**

**Budget Transfer for Maintenance and Repair of Pump Station**

RESOLVED, the Town Comptroller is authorized to transfer \$5,000 from the GJ fund balance to maintenance and repair of pump station (GJ.8130.0462).

**From the Police Department**

**Authorize Supervisor to Sign an Intermunicipal Agreement with Westchester County to provide a Positive Youth Development Program**

Resolved, that the Supervisor is authorized to sign an intermunicipal agreement with Westchester County to provide a Positive Youth Development Program with the Yorktown Police Department.

**From the Town Board**

**Site Plan Approval for Volta Charging , LLC for Electric Vehicle Charging Stations located at the Jefferson Valley Mall**

WHEREAS the Applicant, Volta Charging, LLC, has submitted site plans for the addition of electric vehicle charging stations that will be installed adjacent to 4 existing parking spaces as shown on the site plan titled, "Volta Jefferson Valley Mall," prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., and last revised on September 15, 2022; and

WHEREAS the property, owned by Mall Ground Portfolio, LLC, is located at 650 Lee Blvd, Yorktown Heights, also known as Section 16.12, Block 1, Lot 24 on the Town of Yorktown Tax Map (hereinafter referred to as "the Property"), and the applicant has represented to this Board that they have permission from the owner of the land within said site plan; and

WHEREAS pursuant to SEQRA, the action has been identified as a Type II action and requires no further review; and

WHEREAS the applicant has submitted as part of his application the following maps and documents:

**Site Plans**

1. A drawing, Sheet C0-00, titled "Cover Sheet," prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
2. A drawing, Sheet C0-01, titled "General Notes," prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
3. A drawing, Sheet C0-02, titled "Volta Station Overview," prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
4. A drawing, Sheet C1-00, titled "Overall Site Plan," prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on

- September 15, 2022; and
5. A drawing, Sheet C2-00, titled “Enlarged Site Plan,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
  6. A drawing, Sheet C2-01, titled “Enlarged Site Plan,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
  7. A drawing, Sheet C3-00, titled “Site Details,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
  8. A drawing, Sheet C3-01, titled “Site Details,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
  9. A drawing, Sheet C3-02, titled “Site Details,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
  10. A drawing, Sheet C3-03, titled “Site Details,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
  11. A drawing, Sheet E1-00, titled “Electrical One Line Diagram & Panel Schedule,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
  12. A drawing, Sheet E1-01, titled “Electrical One Line Diagram & Panel Schedule,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and
  13. A drawing, Sheet E2-00, titled “Electrical Notes & Details,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., last revised on September 15, 2022; and

WHEREAS the Volta EV charging stations will be placed at existing parking spaces and other vehicles not using the charging stations will not be prohibited from parking in these parking spaces; and

WHEREAS on August 25, 2022 the Town Clerk referred this application to interested boards and agencies and received and considered the following memoranda:

ABACA	09/13/22
Conservation Board	09/09/22
Planning Board	09/13/22
TCAC	08/26/22

BE IT NOW RESOLVED that the application of Volta Charging, LLC for the approval of a site plan titled, “Volta Jefferson Valley Mall,” prepared by Kimley-Horn Engineering and Landscape Architecture of New York, P.C., and last revised on September 15, 2022, be approved, and that the Town Supervisor be and hereby is authorized to endorse this Board's approval of said plan; and

RESOLVED the Volta EV charging stations will be placed at existing parking spaces and other vehicles not using the charging stations will not be prohibited from parking in these parking spaces; and

BE IT FURTHER RESOLVED that unless a building permit has been issued within one year of the date of this resolution or a time extension has been granted, this approval will be null and void.

**From the Veterans Advisory Committee**

**Request to State Legislature to recognize April 29<sup>th</sup> as Korean War Veterans**

**Appreciation Day**

Whereas, the Yorktown Veterans Advisory Committee has requested for the Town of Yorktown to advocate for a Korean War Veterans Appreciation Day; and

Whereas, the Town Board of the Town of Yorktown recognizes the exemplary service of the members of our community who served during the Korean War; and

Whereas, the Town Board of the Town of Yorktown cherishes and honors the service of the brave men and women who defend our freedoms and wish to bestow proper recognition to those who served during the conflict in Korea; now

Therefore, Be It Resolved, that the Town Board of the Town of Yorktown requests our State Legislators introduce the necessary legislation recognizing April 29 as Korean War Veterans Appreciation Day at the request of the Yorktown Veterans Advisory Committee.

**From the Water Department**

**Request to advertise bid for the purchase of Automotive and Small Engine Parts and Equipment/Tools for the Water Department**

Sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 11:00 A.M., on Thursday, October 13, 2022 for the purchase of Automotive and Small Engine Parts and Equipment/Tools for the Water Department.

**Authorize Supervisor to sign an agreement with CorrTech, Inc. to conduct inspection services to the Quinlan Water Storage Tanks**

WHEREAS, it is the intention of the Distribution Superintendent to have the Quinlan water storage tanks #1 and #2 inspected and repair a minor leak in tank #2; and

WHEREAS, a proposal was received from CorrTech Inc. to conduct remote operated vehicle (ROV) inspection service of the two tanks, repair the leak in tank #2 and provide a condition assessment report for each for a total project cost of \$7,650; and

WHEREAS, the Water District has monies in line SW.8320.0416 to cover such inspections; and

THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an agreement with CorrTech Inc. to conduct inspection service of the Quinlan water storage tanks for a cost of \$7,650.

12. ADJOURN

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

**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.

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