



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD MEETING AGENDA

March 7, 2023

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):

Personnel

Arts and Culture Committee

Police Department

Water Department

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 THOMAS DIANA
5. REPORTS FROM TOWN COUNCIL
6. PROCLAMATION – WOMEN’S HISTORY MONTH

Whereas, the Month of March is observed nationally as Women’s History Month to promote equality and celebrate women’s roles in history and society, and

Whereas, Women’s History Month honors and celebrates the achievements of American women throughout the history of the United States who have struggled for the past 200 years to gain rights, not simply for themselves, but for many other under-represented groups in America, and

Whereas, this year’s theme for Women’s History Month is “Celebrating Women Who Tell Our Stories,” that encourages the recognition of women, past and present, who have been active in all forms of media and storytelling, and honoring women in every community who have devoted their lives and talents to producing art, pursuing truth, from the earliest storytellers through pioneering journalists, whose experiences have been captured by a wide variety of artists and teachers. These

include authors, songwriters, scholars, playwrights, and performers throughout time. Women have long been instrumental in passing on their heritage in word and in print to communicate the lessons of those who came before them, now

Therefore, Be It Resolved, that the Town Board of the Town of Yorktown proclaims March as Women's History Month in the Town of Yorktown.

PROCLAMATION – IRISH AMERICAN HERITAGE MONTH

Whereas, the Town of Yorktown celebrates March as Irish American Heritage Month; and

Whereas, millions of Irish passed through Ellis Island, entering New York City in the 19th Century fleeing hunger and injustice within their country; and

Whereas, one of the first immigrants to pass through Ellis Island was Annie Moore, a 17 year-old from County Cork, Ireland; and

Whereas, since 1762, Irish New Yorkers have celebrated and cherished the feast of Saint Patrick every March 17th which stands as a day to celebrate the Irish heritage and share traditions with younger generations; and

Whereas, Irish Americans have defended our nation, most notably through the Fighting 69th of New York whose members fought in the American Civil War and World War I; and

Whereas, Irish immigrants and Irish Americans have contributed greatly to American society, the State of New York, and the Town of Yorktown; and

Whereas, Irish Americans are deeply committed to family and community and exhibit an incredible work ethic as shown through the many contributions to our Town and society;

Now, Therefore, Be It Resolved, that the Town Board of the Town of Yorktown proclaims March as Irish American Heritage Month in the Town of Yorktown.

7. **PRESENTATION**

Super Bowl of Cereal - Sarah Wilson and Heidi Bornemann

United for the Troops - Jim and Pat Rathschmidt

8. **POET LAUREATE**

John McMullen

9. **PERSONNEL**

Accept the Retirement received from Maureen Connelly from the John C. Hart Memorial Library effective April 28, 2023

Resolved, that the Town Board accepts the retirement received from Maureen Connelly from the John C. Hart Memorial Library with thanks for her 21 years of service to the Town effective April 28, 2023.

10. **PUBLIC HEARINGS**

Convene Public Hearing to consider amending Chapter 260 of the Code of the Town of Yorktown entitled "TAXATION"

Supervisor Thomas Diana will convene a public hearing amending Chapter 260 of the Code of the Town of Yorktown entitled "TAXATION" by amending Section 260-1(A), 260-1(A)(5), 260-2(A), 260-23(A), 260-23(B), 260-25(A), 260-29(A), and 260-34.

11. **COURTESY OF THE FLOOR**

12. RESOLUTIONS

From the Albert A. Capellini Community and Cultural Center

Authorize Use of Nutrition Center by the Lakeland East Girl Scouts and waive rental fee of \$78.00

RESOLVED, at the request of the Lakeland East Girl Scouts, the Town board hereby authorizes the use of the Nutrition Center at the Albert A. Capellini Community & Cultural Center for 2 hours on Thursday, March 9th. The Town Board waives the rental fee of \$78.00.

From the Animal Control Officer

Authorization for Animal Control Officer to attend Annual DCO/ACO Conference in Guilderland, NY

Resolved, that the Animal Control Officer is authorized to attend the Annual DCO/ACO Conference Training in Guilderland, New York from April 19-20, 2023.

From the Engineering Department

Authorize Supervisor to sign a letter agreement with Russel Watsky, Inc. to conduct inspections of the Police Department, Court House, Town Hall, and Albert A. Capellini Community and Cultural Center roofs

Whereas, the Town requires a final inspection of the roofing work performed by Garland DBS, Inc. be performed, NOW, THEREFORE BE IT

Resolved, that the Supervisor is authorized to sign a letter agreement with Russel Watsky, Inc. to conduct inspections of the Police Department, Court House, Town Hall, and AAC Community Center roofs for a fee of \$1,900.

From the Lake Mohegan Improvement District

Authorize Town Clerk to advertise Bid for Lake Mohegan Restoration Project

Resolved, that the Town Clerk is authorized to advertise bid for the Lake Mohegan Restoration Project.

From the Nutrition Center

Authorize the Comptroller to establish Trust line TE73.2 Senior Telehealth

Resolved, that the Comptroller is authorized to establish the following Trust Line:

TE73.2 Senior Telehealth

to be funded by a \$5,000.00 grant from Westchester County for the benefit of the TIPS (telehealth program.)

From the Parks and Recreation Department

Extend Parks and Recreation Brochure Bid with Chase Press for the year 2023

Whereas, bids were received on Tuesday January 11, 2022 for formatting, printing, and delivering the 2022 Parks & Recreation Brochures as specified by the Town of Yorktown's Parks and Recreation Department, now

Therefore Be It Resolved, that the Parks and Recreation Superintendent hereby recommends exercising the option to extend the formatting, printing, and delivering of the Parks & Recreation Brochure Bid Contract with Chase Press for an additional one-year term beginning January 1, 2023 and ending December 31, 2023.

From the Planning Department

Authorize John Tegeder and Robyn Steinberg to attend the 2023 American Planning Association National Conference and Authorize Comptroller to process the following Budget Transfer

Whereas, the American Planning Association national conference is being held in Philadelphia from April 1, 2023 through April 4, 2023; and

Whereas, the attendance at the conference raises the knowledge and effectiveness of the Planning Department staff and satisfies continuing education requirements; and

Whereas the cost thereof comprises lodging and conference registration; and now

Therefore, Be It Resolved, that John Tegeder and Robyn Steinberg are authorized to attend the 2023 American Planning Association National Conference to be held in Philadelphia, Pennsylvania, April 1, 2023 through April 4, 2023; and

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

From: A8020.0101 Planning Department - Salaries \$2,800.00

To: A8020.0405 Planning Department - Conferences \$2,800.00

Declare Lead Agency for Review under the State Environmental Quality Review Act (“SEORA”) for the Proposed Project Located at 800 East Main Street, Classifying Project as a “Type I” Action Under SEORA; and Issuing Positive Declaration of Environmental Significance and Requiring a Draft Environmental Impact Statement (“DEIS”) for the Project; and Scheduling a Public Scoping Session

Whereas, on October 24, 2022, 800 E Main Yorktown Dev AMS LLC (the “Petitioner”) submitted a petition (the “Petition”) to the Town Board for: (i) amendments to the Zoning Code of the Town of Yorktown (the “Zoning Code”) generally affecting the RSP-2 Senior Citizens District of the Town; and (ii) an amendment to the Zoning Map of the Town of Yorktown to re-zone property known as 800 East Main Street and designated on the Tax Map of the Town of Yorktown as Tax ID: 5.19-1-15 (the “Property”) from OB Research Laboratory and Office District to RSP-2 Senior Citizens District of the Town to permit the redevelopment of the Property with an active adult residential community available to adults aged 55 and over, consisting of approximately 250 dwelling units including a mix of rental units and for-sale townhomes, together with amenities, 383 parking spaces and related infrastructure, generally accordance with the Concept Plan attached as Exhibit A to the Petition (the “Project”); and

Whereas, on November 1, 2022, the Petitioner submitted a full Environmental Assessment Form (“FEAF”) to the Town Board; and

Whereas, on November 22, 2022, the Town Board declared its intent to act as lead agency for the Petition, the Project and all related actions under SEORA (the “Proposed Action”), and thereafter circulated a “Notice of Intent to Act as Lead Agency to the various involved agencies together with the Petition and FEAF; and

Whereas, more than thirty (30) days has passed since the Notice of Intent, the Petition and FEAF was sent to all potentially involved agencies, and no such agency has objected to the Town Board acting as lead agency for review of the Proposed Action under SEQRA; and

Whereas, the Town Board has thoroughly reviewed the Petition and the FEAF together with the criteria contained in 6 NYCRR §617.7 (c);

Now, Therefore Be It Resolved, by the Town Board of the Town of Yorktown as follows:

1. The Town Board hereby confirms its status as Lead Agency for review of the Proposed Action.
2. The Town Board hereby determines that the Proposed Action presents at least one potential significant adverse environmental impact. Accordingly, the Town Board hereby: (a) issues a positive declaration of environmental significance (the “Positive Declaration”) with respect to the Proposed Action and authorizes this determination to be endorsed on the Part 3 of the FEAF attached hereto and made part hereof, and (b) requires the preparation of a draft environmental impact statement (“DEIS”) for the Proposed Action.
3. The Town Board hereby authorizes and directs Petitioner to prepare and submit a draft scope for the DEIS (the “DEIS Scope”) to the Town Board not later than March 15, 2023, and hereby directs the Town Clerk to send a copy of this resolution and the draft scope to all involved agencies, and to make them available for public review not later than March 24, 2023.
4. The Town Board hereby: (a) elects to conduct a public scoping session on April 4, 2023 at 7:30 p.m. at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598, at which time all persons interested may attend and shall be heard with respect to the DEIS Scope; and (b) directs the Town Clerk to publish notice of the scoping session in the Town’s official newspaper once, but not later than March 24, 2023.

From the Yorktown Justice Court

Accept the Audit of the Yorktown Justice Court prepared by PKF O’Connor Davies, LLP for the fiscal year 2022

Resolved, that the audit of the Town of Yorktown Justice Court prepared by PKF O’Connor Davies, LLP, for the fiscal year 2022, submitted to the Town on March 3, 2023 be and is hereby accepted by the Town Board. A copy of the audit is filed with the Town Clerk and is available for public inspection.

13. ADJOURN MEETING

A motion will be made to adjourn the Town Board meeting.

Dated: March 7, 2023

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

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

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.