



Town of Yorktown

Office of the Town Clerk
Diana L. Quast



FINAL TOWN BOARD MEETING AGENDA

June 20, 2023

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

6:30 PM EXECUTIVE SESSION

The Town Board may move into Executive Session to discuss personnel and/or litigation matters.

7:30 PM TOWN BOARD MEETING

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. MOMENT OF SILENCE
4. INTRODUCTIONS
5. REPORT FROM TOWN SUPERVISOR THOMAS DIANA
6. REPORTS FROM TOWN OFFICIALS
7. PROCLAMATIONS
Observance of Flag Day

WHEREAS, the American flag represents our nation and values of freedom, equality, justice, and hope; and

WHEREAS, when the American Revolution began in 1775, the colonists did not fight under one unifying flag but under their own flags; and

WHEREAS, on June 14, 1777, the Second Continental Congress passed a resolution stating that “the flag of the United States shall be 13 stipes, alternate red and white,” and that “the Union be 13 stars, white on a blue field, representing a new constellation”; and

WHEREAS, President Woodrow Wilson marked the 100th anniversary of the resolution establishing the flag by declaring June 14th as Flag day; and

WHEREAS, the American flag has inspired Americans on the battlefield, has provided comfort during times of war and peace; and has stood as a symbol of hope for the millions of people who have come to America seeking better lives; and

NOW, THEREFORE BE IT RESOLVED, that the Town of Yorktown recognizes June 14, 2023 as Flag Day and encourages its residents to proudly display this important symbol throughout the year.

Observance of Juneteenth Day

WHEREAS, Juneteenth is recognized as the oldest nationally celebrated commemoration of the end of slavery in the United States; and

WHEREAS, President Abraham Lincoln first issued the Emancipation Proclamation effective January 1, 1863, freeing the slaves in the South, however, southern slave owners ignored that order. On June 19th, 1865, Union soldiers arrived in Galveston, Texas and enforced the president's order, freeing the slaves two and a half years after it was first decreed. This day has since come to be known as Juneteenth; and

WHEREAS, Juneteenth has been also titled "Jun-Jun," "Freedom Day," "Emancipation Day," and "Emancipation Celebration;" and

WHEREAS, Juneteenth celebrations have been held to honor African-American freedom while encouraging self-development, education and respect for all cultures; and

NOW, THEREFORE BE IT RESOLVED, that the Town of Yorktown proclaims June 19th as Juneteenth Day in recognition of June 19, 1865, the date on which Union Soliders ended slavery in Galveston, Texas; and

FURTHER BE IT RESOLVED, the Town of Yorktown reiterates its stance against all forms of oppression, racism, and bigotry; and

FURTHER BE IT RESOLVED, that the Town of Yorktown supports the continued nationwide celebration of Juneteenth Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped this nation; and

FURTHER BE IT RESOLVED, that federal, state and county governments, as well as local school districts, recognize Juneteenth as a holiday and the Town of Yorktown will similarly be closing town buildings in observance of Juneteenth Day on Monday, June 19th.

8. **POET LAUREATE**

John McMullen

9. **OPEN FLOOR FOR PUBLIC COMMENT**

10. **PUBLIC HEARINGS**

Convene a public hearing to consider amending Chapter 300 of the Code of the Town of Yorktown entitled "Zoning," Section 13(F) by amending and replacing it in its entirety

Supervisor Thomas Diana will convene a public hearing to consider amending Chapter 300 of the Code of the Town of Yorktown entitled “Zoning,” Section 13(F) by amending and replacing it in its entirety with the following language:

Walls and fences. The yard requirements of this chapter shall not be deemed to prohibit any necessary retaining wall nor to prohibit any fence or wall, provided that in any residence district no fence shall exceed 4.5 feet in height in the front yard or 6.5 feet in height in any side or rear yard. However, fence support posts whose width, measured at the fence face, comprises no more than 10% of the total linear footage of the fence may exceed the aforementioned maximums by no more than one foot. The height of a fence shall be the vertical distance from grade to the highest part of the fence. Where the grade is uneven from one side of the fence to the other, the fence shall be measured from the side with the lowest grade. For all fences and walls installed after the effective date of this amendment, the decorative side shall face away from the owner's property.

Convene a public hearing to consider amending Chapter 15 entitled “Building Construction Administration” by deleting Section 15-4(B)(10) in its entirety and renaming Sections 15-4(B)(11) and 15-4(B)(12)

Supervisor Thomas Diana will convene a public hearing to consider amending Chapter 15 of the Code of the Town of Yorktown entitled “Building Construction Administration,” by deleting Section 15-4(B)(10) in its entirety and renaming Sections 15-4(B)(11) and 15-4(B)(12) as sections 15-4(B)(10) and 15-4(B)(11), respectively and accordingly.

Convene a public hearing to consider the application received from MJM Land Development Corp for property located at 3232 Gomer Street to authorize the Planning Board to process a subdivision utilizing Flexibility Standards

Supervisor Thomas Diana will convene a public hearing to consider the application received from MJM Land Development Corp for property located at 3232 Gomer Street, Yorktown, NY, a 12.5 acre site, also known as Section 17.18, Block 2, Lot 2 on the Tax Map of the Town of Yorktown to authorize the Planning Board to process a subdivision utilizing Flexibility Standards.

11. **PERSONNEL**

Appoint Gina Brescia Chauffer in the Nutritional/Senior Services Department

BE IT RESOLVED, that Gina Brescia of Putnam Valley, NY, is hereby appointed Chauffeur, job class code 0458-02, within the Nutritional/Senior Services Department, effective June 26, 2023 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$ 37,893.00 annually;

BE IT RESOLVED, contingent upon successful completion of a drug test,

BE IT RESOLVED, that Gina Brescia will report to work at the Nutritional/Senior Services Department on June 26, 2023, and this date will be used as the first date of appointment,

BE IT RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on June 26, 2023.

12. RESOLUTIONS

Authorize Comptroller to process the following budget transfer for the Highway Department

Be It Resolved, that the Town Board authorizes the following budget transfer to fund a Workers' Compensation Notice of Decision – Large Loss Notification:

From: D.1002	Highway - Fund Balance	\$62,500.00
To: MC.1930.402	Workers' Comp Indemnity Payments	\$62,500.00

Approve updated Schedule B Restrictive Covenants language to be attached to deeds in the resale of affordable housing units

WHEREAS, the Yorktown Community Housing Board has reviewed the language in the deeds of the existing affordable housing units in Yorktown's affordable homeownership program and found that the restrictive covenant language in the deeds should be updated; and

WHEREAS, the Community Housing Board has drafted an updated form of Schedule B restrictive covenants and recommended that this standardized form of restrictive covenants be appended to the deeds when any of Yorktown's existing affordable housing units are resold and the Town of Yorktown opts to exercise its right of first refusal and assign that right to an affordable housing applicant; and

WHEREAS, the Community Housing Board has recommended the adoption of a new set of restrictive covenants that clarifies existing language and that includes a new formula for calculating resale prices and specifies inclusion of major approved capital improvements, and

NOW THEREFORE, BE IT RESOLVED, that the newly revised Schedule B with updated restrictive covenants shall be used henceforth as an attachment to the deeds upon the resale of Yorktown affordable housing units; and

BE IT FURTHER RESOLVED, that the updated restrictive covenants shall not apply retroactively, but shall apply on resale after the date of adoption of this resolution to the new owners of Yorktown affordable housing units.

13. ADJOURNMENT

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

Dated: June 20, 2023

DIANA L. QUAST, TOWN CLERK
MASTER 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****