



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD MEETING AGENDA

Tuesday, December 20, 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):

Personnel

Parks and Recreation 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 MATTHEW J. SLATER
5. REPORTS FROM TOWN COUNCIL
6. PRESENTATIONS
Assemblyman Kevin Byrne
John C. Hart Memorial Library
Garden of Hope
7. POET LAUREATE
John McMullen
8. PERSONNEL
Accept retirement received from Police Officer Angel Garcia from the Yorktown Police Department
RESOLVED, that the Town Board accepts the retirement received from Police

Officer Angel Garcia from the Yorktown Police Department with thanks for his many years of service to the Town effective December 21, 2022.

Appoint Gino G. Argiro to the position of Police Officer in the Yorktown Police Department

BE IT RESOLVED, that Gino G. Argiro of Yorktown Heights, New York is hereby appointed permanent Police Officer in the Town of Yorktown Police Department from Eligible List No. 60-194, effective December 30, 2022 to be paid the contractual salary of \$47,768.00 annually,

BE IT RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 78 weeks, commencing on the first date of appointment on December 30, 2022.

9. **PUBLIC HEARING**

To consider a wetland permit application submitted by Homeland Towers, LLC for the proposed construction of a telecommunications facility

Supervisor Matthew Slater will convene a public hearing to consider a wetland permit application submitted by Homeland Towers, LLC for the proposed construction of a telecommunications facility at Hill Boulevard, Jefferson Valley, NY.

10. **COURTESY OF THE FLOOR**

11. **RESOLUTIONS**

From the Town Board:

Authorize Supervisor to enter into an amendment to the agreement with Limnology Information and Freshwater Ecology Inc. for the provision of aquatic pesticide treatments

RESOLVED, the Supervisor is authorized to enter into an amendment to the agreement with Limnology Information and Freshwater Ecology Inc. for the provision of aquatic pesticide treatments for calendar year 2023 in an amount not to exceed \$45,250.

Authorize Supervisor to execute an agreement with the Law Office of Ingrid E. O'Sullivan for local justice court prosecution services

RESOLVED, the Supervisor is authorized to execute an agreement with the Law Office of Ingrid E. O'Sullivan for the provision of local justice court prosecution services for the 2023 calendar year.

Authorize the Parks Superintendent to execute an application for the Trees for Tribes Grant Program

RESOLVED, the Parks Superintendent is authorized to execute an application for the Trees for Tribes grant program, for the installation of trees at Willow Park.

Approve Rezoning of 2040 Crompond Road a/k/a Section 37.14, Parcel 2, Lot 32 on the Tax Map of the Town of Yorktown (Weyant Property)

WHEREAS, John DeVito, (the “Applicant”) as contract vendee, petitioned the Town Board to rezone an approximately 2.62 acre parcel located at 2040 Crompond Road in the Town of Yorktown, also known as Section 37.14, Parcel 2, Lot 32 on the Tax Map of the Town of Yorktown (the “Property”) from the R1-10 residential district to the Transitional Zone special district as governed by Article VIII and Article XVII of the Yorktown Zoning Code, to facilitate the Property to be used and developed for a multifamily residential use consisting of 23 units of townhouse style housing; and

WHEREAS, the Property is currently zoned R1-10, and is currently improved with a single-family residential structure which has been vacant for nearly a decade; and

WHEREAS, the Property is currently under the ownership of the applicant; and

WHEREAS, the Town Board held a duly noticed Public Hearing commencing on October 16, 2018 at the Town Hall, 363 Underhill Avenue in Yorktown Heights, New York, which was reconvened and closed on May 14, 2019; and

WHEREAS, the Applicants submitted as part of its application an Environmental Assessment Form dated April 14, 2017 evaluating the potential environmental impacts of the proposed action; and

WHEREAS, the Town Board circulated its intent to become lead agency; and

WHEREAS, receiving no objection or opposition to its intent to act as lead agency, the Town Board hereby declares itself lead agency for carrying out the procedural requirements of the SEQRA regulations; and

WHEREAS, the Town Board, using the information provided by the Applicants and comparing it with the thresholds set forth in Section 617.12 of SEQRA, classified the proposed action as unlisted; and

WHEREAS, the Town Board created the transitional zone designation specifically for residentially zoned properties that, have unique characteristics that make them difficult to develop under their zoning designation; and

WHEREAS, the transitional zoning designation considers the unique characteristics of these specific parcels and establishes uses, and area and bulk requirements to assure compatibility with the surrounding uses and character of the immediate neighborhood; and

WHEREAS, the Property abuts the Roma building, a commercial retail building, to its east, three single family residences to its north, Hamblyn Road to its west, and Crompond Road, also known as New York State Route 202/35 (“NYS Route

202/35”), to its south, across from which exists commercial retail property formerly known as the Cablevision site, and three single family residences; and

WHEREAS, the Applicant’s parcel qualifies as a targeted property for a transitional zoning designation as defined in Article XVII of the Town Code in that:

1. The Property Lies between two distinctly different zoning districts, R1-10 Single Family Residential and C-3 Commercial Limited, acts as a buffer between these two uses, and acts as a buffer between the major traffic thoroughfare of NYS Route 202/35 which is used by heavy trucks, commercial vehicles, and commuter traffic; and
2. The Applicant has sufficiently demonstrated that the present residential zoning of the Property as single family residential is not compatible with surrounding and nearby commercial uses and is not compatible with the environmental conditions present by virtue of the major traffic thoroughfare of NYS Route 202/35 upon which it fronts, and further that an alternative use would provide an appropriate buffer and transition to the adjacent single-family residential uses; and

WHEREAS, the Town Board referred the application to the involved boards and agencies and received and considered the following memoranda:

Planning Board
Conservation Board
ABACA
Town Engineer

and;

WHEREAS, pursuant to Article XVII, the Town Board hereby finds the following:

- i. The use of the subject Property is compatible with adjacent land uses and will not adversely affect the continued use of adjacent properties as presently zoned;
- ii. The use is compatible with the environmental constraints of the site;
- iii. The use of the subject site cannot be accommodated by the existing zoning; and
- iv. The subject site is not economically developable under the existing zoning designation; and therefore

BE IT HEREBY RESOLVED, that the Town Board pursuant to 6NYCRR §617.7 of the State Environmental Quality Review Act determines that there will be no adverse environmental impacts resulting from this action and therefore adopts a negative declaration pursuant thereto; and

BE IT FURTHER RESOLVED that the request for rezoning of the subject parcel to a transitional zone is hereby granted; and

The use, density, setback and area and bulk requirements for the subject site shall be as follows:

PERMITTED MAIN USES:

1. Multi-family housing
2. Accessory uses incidental to the main use.

PERMITTED ACCESSORY USES:

1. Permitted Accessory Uses in accordance with the provisions of § 300-21(C)(1)(c) and subject to the provisions of § 300-182.

SCHEDULE OF REGULATIONS

TRANSITIONAL ZONE BULK REGULATIONS

Lot area	2.62 ac
Lot width at front yard	394.21 ft
Front yard	26.0 ft at Hamblyn Street; 39.9 ft at Rte. 202
Side yard	30.7 ft
Rear yard	21.5 ft
Maximum height	35 ft main building 20 ft accessory building
Maximum coverage	23%
Off street parking	71 parking spaces

FURTHER RESOLVED, that no development shall be permitted except in accordance with a plan of development approved by the Town Board pursuant to the State Environmental Quality Review Act and Article VIII of the Yorktown Town Code and all other relevant laws.

Approve Site Plan for 2040 Crompond Road a/k/a Section 37.14, Parcel 2, Lot 32 on the Tax Map of the Town of Yorktown (Weyant Property)

WHEREAS, John DeVito, (the “Applicant”) as contract vendee, applied to the Town Board of the Town of Yorktown for site plan approval under Article XVII Town Code of the Town of Yorktown on Property located at 2040 Crompond Road in the Town of Yorktown, also known as Section 37.14, Parcel 2, Lot 32 on the Tax Map of the Town of Yorktown (the “Property”); and

WHEREAS, the subject site is a 2.62 acre parcel located at 2040 Crompond Road in the Yorktown Heights hamlet of the Town of Yorktown and is transitionally zoned; and

WHEREAS, the applicant submitted as part of his application the following site plan related drawings:

1. A drawing, titled " Interim Site Plan," Sheet C-101, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022;
2. A drawing, titled "Post DOT Widening Site Plan," Sheet C-102, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
3. A drawing, titled "Existing Conditions Plan," Sheet C-103, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
4. A drawing, titled "E & SC Plan," Sheet C-104, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
5. A drawing, titled "Improvement Plan," Sheet C-105, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
6. A drawing, titled "Stormwater Plan," Sheet C-106, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
7. A drawing, titled "Lighting Plan," C-107, prepared by Site Design Consultants, dated October 26, 2018, last revised April 2, 2020; and
8. A drawing, titled "Landscape Plan," Sheet C-108, prepared by Site Design Consultants, dated April 21, 2017, last revised April 29, 2019; and
9. A drawing, titled "Profiles," Sheet C-301, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
10. A drawing, titled "Drainage Profiles" Sheet C-302, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
11. A drawing, titled "Notes," Sheet G-1, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
12. A drawing, titled "E & SC Notes," Sheet G-2, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
13. A drawing, titled "E & SC Details," Sheet C-501, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
14. A drawing, titled "Site Details," C-502, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
15. A drawing, titled "Drainage Details," Sheet C-503, prepared by Site Design

Consultants, dated October 26, 2018, last revised March 21, 2022; and

16. A drawing, titled “Stormwater Management Details,” Sheet C-504, prepared by Site Design Consultants, dated October 26, 2018, last revised September 24, 2021; and
17. A drawing, titled “Water Main Details,” Sheet C-505, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
18. A drawing, titled “Sanitary Sewer Details,” Sheet C-506, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
19. A drawing, titled “Downstream Defender Details,” Sheet C-507, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and
20. A drawing, titled “Cistern Details,” Sheet C-508, prepared by Site Design Consultants, dated October 26, 2018, last revised September 24, 2021; and
21. A drawing, titled “Stormtech Details,” Sheet C-509, prepared by Site Design Consultants, dated October 26, 2018, last revised March 21, 2022; and

WHEREAS, the Applicants also submitted as part of its application an Environmental Assessment Form dated April 14, 2017 evaluating the potential environmental impacts of the proposed action; and

WHEREAS, the Town Board declared itself lead agency for carrying out the procedural requirements of the SEQRA regulations; and

WHEREAS, the Town Board, using the information provided by the applicant and comparing it with the thresholds set forth in Section 617.12 of SEQRA, classified the proposed action as unlisted; and

WHEREAS, the Town Board referred the application to the involved boards and agencies and received and considered the following memoranda:

Planning Board
Conservation Board
ABACA
Town Engineer

and;

WHEREAS, the Town Board held a duly noticed Public Hearing commencing on October 16, 2018 at the Town Hall, 363 Underhill Avenue in Yorktown Heights, New York, which was reconvened and closed on May 14, 2019; and

WHEREAS, the Town Board, based on the Applicant's submissions, comments received by the involved boards and agencies and the testimony received at the public hearings, issued a negative declaration pursuant to SEQRA §617.7 finding the proposed action would not significantly affect the environment; and

WHEREAS, the Applicant has filed a permit with New York state Department of Transportation (NYSDOT) to grant a curb cut onto NYS Route 202/35 in conformance with the plans enumerated herein; and

WHEREAS, due to the time constraints of the NYSDOT permitting process, the primary means of ingress/egress will be through the temporary use of the Hamblyn Street connection as indicated on the "Interim Site Plan" enumerated herein; and

WHEREAS, upon issuance of the NYSDOT permit to allow a permanent curb cut, the primary means of ingress/egress will move from Hamblyn Street to NYS Route 202/35 in accordance with "Post DOT Widening Plan" as shown and enumerated herein; and

WHEREAS, on November 15, 2022, the Town Board approved the Applicant's verified petition to rezone the Property from R1-10 to the Transitional Zone; be it hereby

RESOLVED, that site plan approval is hereby granted for a multi-family housing use on the Property and that the Property shall be improved as per the latest revised drawings listed above and pursuant to the following amendments and conditions:

1. The primary use of the subject Property shall be limited to the uses cited above and as listed in the resolution granting approval for rezone of 2040 Crompond Road (the "Rezoning Resolution");
2. The following bulk regulations, as established by the Town Board at the rezoning stage, shall be met by the proposed development as shown on the site plan drawings enumerated herein and as listed below:

Lot area	2.62 ac
Lot width at front yard	394.21 ft
Front yard	26.0 ft at Hamblyn Street; 39.9 ft at Rte. 202
Side yard	30.7 ft
Rear yard	21.5 ft
Maximum height	35 ft main building 20 ft accessory building
Maximum coverage	23%
Off street parking	71 parking spaces

3. Lighting shall be consistent with the lighting shown on the Site Plan;

4. Signage will be consistent in size and style with the recommendations of the sign ordinance manual and approved by the Town Board; and

BE IT THEREFORE RESOLVED, that no certificates of occupancy shall be issued until the site improvements shown on the improvement plans as modified, are completed by the applicant to the satisfaction of the Superintendent of Highway, Town Engineer and Town Board within one (1) year from the date of this resolution or alternatively:

The applicant post 5% of estimated cost of improvements in the form of cash or other security acceptable by the Town Board and additionally a performance bond for 95% of the estimated cost of improvements with the term of two (2) years, approved by the Town Board as to manner of execution, form and sufficiency to guarantee and assure full compliance by the applicant with all the terms, conditions, requirements and provisions as set forth in this resolution and for the following improvements roadways and parking areas; stormwater and drainage infrastructure; public sidewalk and walkways; landscaping; and other required installations as identified by the Town Board; and

BE IT FURTHER RESOLVED, that said bond should contain the provisions that when the principals have fully and properly completed all of the work and improvements as required by this resolution and the work has been accepted by the Town Board, after recommendation of the Highway Superintendent and the Town Engineer, and upon the request of the applicant the same be canceled in the manner provided for by law, and that said bond shall not be canceled or reduced to less than 5% of the estimated cost of improvements and that the bond so reduced and the deposit of cash surety remain in full force and effect to assure the satisfactory condition of said work and improvements until released by the Town at the request of the applicant. Such release shall be not earlier than one (1) year from the date of acceptance of the work and improvements, and

BE IT FURTHER RESOLVED, that the proposed main ingress/egress drive connecting to NYS Route 202 and subject to NYSDOT permitting shall require a separate cash bond to be posted by the applicant which represents the value of the work as shown on the plans enumerated herein, and that said bond shall not be canceled or reduced to less than 5% of the estimated cost of improvements and that the bond so reduced and the deposit of cash surety remain in full force and effect to assure the satisfactory condition of said work and improvements until released by the Town Board at the request of the applicant; and

BE IT FURTHER RESOLVED, that the improvements shown and represented on the "Post DOT Widening Plan" excluding the work related to the main ingress/egress point for the development, shall require that the applicant post a cash bond representing the value of the work required by said plan and that said bond shall not be canceled or reduced to less than 5% of the estimated cost of improvements and that the bond so reduced and the deposit of cash surety remain in full force and effect

to assure the satisfactory condition of said work and improvements until released by the Town at the request of the applicant or at the cessation of five years from the acceptance of the bond by the Town Board; and

BE IT FURTHER RESOLVED, that certificates of occupancy for each of the twenty-three units may be issued provided that the above bonds are secured by the Town and remain in full force and effect or until the improvements as shown on the "Post DOT Widening Plan" are constructed as required by the plans enumerated herein, and provided that all other site improvements as shown on the improvement plans and enumerated herein have been satisfactorily completed; and

FURTHER RESOLVED, the Applicant shall submit copies of the final approved site plan with required modifications for signature by the Town Supervisor and distribution to appropriate agencies; and

BE IT FURTHER RESOLVED, that unless a building permit is issued within 365 days of this approval, this resolution shall be null and void.

Approve request from 1952 Commerce Street, LLC to apply the standards of the Yorktown Heights Overlay District pursuant to Chapter 300, Article XXXI for the Gardena Hotel property

WHEREAS, Jack Xiao of 1952 Commerce Street, LLC (hereinafter the "Applicant") is owner of property located at 1952 Commerce Street and known on the tax map of the Town of Yorktown as Section 37.14, Block 2, Lot 54 (hereinafter the "Gardena Hotel Property"), Yorktown Heights, formerly Mulvey Real Estate office; and

WHEREAS, the Applicant has by letter dated September 22, 2022, requested authorization from the Town Board to apply the standards set forth in Article XXXI of the Yorktown Zoning Code in furtherance of a project to construct a boutique hotel on the property; and

WHEREAS, the Town Board's consideration of the requested authorization to apply standards pursuant to Article XXXI is based on its intent to promote and encourage economic development, to stimulate growth and provide for revitalization, while utilizing smart-growth techniques capable of creating smarter, less wasteful, and more economically efficient development patterns that engender flexibility in land uses by providing a diverse array of mixed-use residential and commercial parcels; and

WHEREAS, the proposed project which is the basis of this request calls for the construction of 18 residential hotel units distributed among 3 floors, and accessed by 1 proposed driveway from Veterans Road ("Proposed Project"); and

WHEREAS, applying the standards set forth in Article XXXI affords the project flexibility in the application of the zoning code's bulk requirements with respect to building height, lot frontage, lot coverage, lot area, and minimum floor area, floor area ratio, open space requirements, side yard requirements, front and rear yard requirements, maximum allowable coverage, parking regulations, unit density per acre, and off-street parking and loading spaces; and

WHEREAS, the applicant's request is a required step in obtaining the ability to apply Article XXXI as outlined in Section §300-251B of said Article which sets forth the procedure to request such authorization and the criteria by which the Town Board must consider the request;

WHEREAS, Section §300-251B requires the Town Board consider the following factors when considering authorizing a project to apply the standards set forth in Article XXXI:

- (a) Whether the project is consistent with the general goals of the Comprehensive Plan;
- (b) Whether the project will likely be detrimental to the character of its immediate neighboring properties, or the district and Town at large;
- (c) Whether the scope of the project will likely cause operational difficulties on the site that have potential to negatively affect the health, safety, and welfare of the public;
- (d) Whether the Town's infrastructure is capable of servicing the project or that the impacts or deficiencies of the infrastructure can be appropriately mitigated;
- (e) Whether the project will eliminate a blight or potential blight within the district;
- (f) Whether the project is consistent with the goals and intent of the overlay district;
- (g) Whether the project is consistent with the requirements of the overlay district and does not exceed the limitations or requirements set forth therein;
- (h) Whether the project is likely to contribute to the economic development of the district and the Town at large.

WHEREAS, the Town Board considered the request at its meeting of October 11, 2022, at which time the applicant presented information in favor of authorizing the use of Article XXXI; and

WHEREAS, the Town Board under Section §300-251B is empowered, in its discretion, to hold a public hearing and determined a public hearing was not necessary as the Board has publicly discussed the adoption of Article XXXI, the inclusion of the project in the boundaries of the district in which the Article may be applied, and the merits of the project at various meeting throughout 2022, and heard comments from the public, its professional staff, advisory boards, and other interested parties; and

WHEREAS, the Town Board considered all the factors as above enumerated and notes the following:

- a) The Yorktown Comprehensive Plan in Chapter 2, Land Use, recommends the use of overlay zones to protect resources and to help implement various land uses or mixes of land uses, and Chapter 4, Economic Development and Hamlet Business Centers recommends actions that strengthen economic viability of Yorktown and maintain economic strength by addressing trends in the market place and the development industry, and recommends promoting a mix of uses in the hamlets as set forth, inter alia, in Goals 4C, 4D, and 4E and 4F; and
- b) The project is located on Veterans Road and Commerce Street, main collector roads, abutting and across from commercial development at which the project proposes complementary, historically inspired architecture of the new structure; and
- c) The project proposes a mix of complementary uses associated with hotels such as café, lounge, and eating spaces, parking area with a connection to Veterans Road; and
- d) The Town's professional staff has stated that water and sewer capacity are available to handle the scope of the project, and the applicant has submitted plans and data that indicated that the road infrastructure adequate to accept the traffic impacts of the project and that there is sufficient parking available in and around the project; and
- e) The goals of the Overlay district, Article XXXI, as stated herein seek to promote mixed uses, promote residential development within and near the hamlets, promote economic development, and the project creates a hotel use which is not present within the Town and is identified in the Comprehensive plan as a desirable use, creating small scale commercial space, and creating pedestrian amenities and connections that promote walkability, health, and economic viability; and
- f) The bulk requirements cited in Article XXXI support the project scope and physical characteristics and none have been shown to be exceeded; and
- g) The project will locate 18 units of hotel residential which places consumers within walking distance of the hamlet's businesses; and

WHEREAS, the application was referred to the Westchester County Planning Board under General Municipal Law § 239-m; and

WHEREAS, the Westchester County Planning Board responded to the referral, and noted that it was supportive of the Town Board authorizing the application to proceed to the Yorktown Planning Board for consideration under Article XXXI; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("S.E.Q.R.A."), this action is considered a Type II action under N.Y.C.R.R. Title 6, Section 617.5(c)(33), and (c)(34); and

WHEREAS , based on the entire record before the Town Board, the Town Board finds that the request to apply the standards of the Yorktown Heights Overlay District pursuant to Chapter 300, Article XXXI, Section §300-250 through Section §300-255 of the code of the Town of Yorktown to the Gardena Hotel Property will achieve the Town's objectives of the Comprehensive Plan and the preservation and enhancement of hamlet of Yorktown Heights, promote economic development, pedestrian connections and complete street initiatives, and high architectural design standards, and other areas of economic and social value; now therefore be it

RESOLVED, that the request by 1952 Commerce Street, LLC for authorization to apply the standards pursuant to Chapter 300, Article XXXI, Section §300-250 through Section §300-255, to the Proposed Project is granted; and

BE IT FURTHER RESOLVED, that the Proposed Project will require site plan approval by the Planning Board, and must comply with all applicable laws, including but not limited to the SEQRA; and

BE IT FURTHER RESOLVED, that the permission herein granted is subject to and contingent on the site plan being in substantial conformance with the Proposed Project as presented to the Town Board on the instant application.

From the Town Clerk:

Authorize Town Clerk to refer out to appropriate agencies a proposed Local Law to amend Chapter 300, Section 39 (B) of the Code of the Town of Yorktown entitled: “Zoning” and set public hearing

Resolved, that the Town Clerk is authorized to refer out to appropriate agencies a proposed local law to amend Chapter 300, Section 39 (B) by replacing the definition of Affordable Housing with: A Residential dwelling unit made available for sale or rent at a price established in conformance with the provision hereof, and

Be It Further Resolved, that the public hearing will be held on Tuesday, January 17, 2023.

Authorize Town Clerk to advertise a bid for Laboratory Services for the Water Pollution Control Plant

Resolved, that the Town Clerk is hereby authorized to advertise a bid for Laboratory Services for the Water Pollution Control Plant, Bid #22-11.

From the Engineering Department:

Authorize Comptroller to release bonds for Stormwater Permit #FSWPPP-005-21 to American Custom Builders in the amount of \$16,500.00

WHEREAS, American Custom Builders, as applicant, posted check #1351 in the amount of \$1,500 to serve as the Erosion Control Bond which was deposited into the T33 account on November 22, 2021, and

WHEREAS, American Custom Builders, as applicant, posted check #1811 in the amount of \$15,000 to serve as the Landscape Performance Bond which was deposited to the T33 account on June 30, 2022 for Stormwater Permit #FSWPPP-005-21, and

WHEREAS, the applicant has requested his money be released as the site is now complete, and

WHEREAS, the Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released, NOW, THEREFORE BE IT

RESOLVED, the above referenced bonds be released to American Custom Builders, P.O. Box 815, Yorktown Heights, NY 10598.

Authorize Comptroller to release bonds for Wetland & Stormwater Permit #WP-FSWPPP-004-21 to Marcia Saunders in the amount of \$2,500.00

WHEREAS, Marcia Saunders, as applicant, posted check #1857 in the amount of \$2,500 to serve as the Performance Bond which was deposited to the T33 account on March 23, 2021 for Wetland & Stormwater Permit #WP-FSWPPP-004-21, and

WHEREAS, the applicant has requested her money be released as the site is now complete, and

WHEREAS, the Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, the above referenced bond be released to Marcia Saunders, 410 Illington Road, Ossining, NY 10562.

From the Finance Department:

Authorize the Supervisor to sign an agreement with The Town's insurance broker, Arthur J Gallagher & Company for 2023

Authorize the Supervisor to sign an agreement with The Town's insurance broker, Arthur J Gallagher & Company for 2023 Insurance coverage in an amount not to exceed \$1,144,925.24 as per their quote prepared 12/16/22.

From the Police Department:

Authorize Supervisor to sign an Intermunicipal agreement with Westchester County to Participate in the New York State funded STOP-DWI Details

Resolved, that the Town Board authorizes the Supervisor to sign an Intermunicipal agreement with Westchester County to Participate in the New York State funded STOP-DWI Details (also known as High Visibility Enforcement Details) that will also involve DRE (Drug Recognition Experts for the period of October 1, 2022 through September 30, 2023, not to exceed \$10,000.00 per year. This is a

Reimbursement Agreement to implement special enforcement details that will conduct high visibility road checks, saturation patrols, and drug recognition expert call outs.

From Section 8 Housing Program:

Authorize Supervisor to sign an agreement with BARRETT CPA, P.C. for accounting services in connection with the Town's Section 8 program

RESOLVED, the Supervisor is authorized to enter into an agreement with BARRETT CPA, P.C. for the provision of accounting services in connection with the Town's administration of the Section 8 program for calendar years 2023 (in an amount of \$10,800.00) and 2024 (in an amount of \$11,100.00).

12. ADJOURN

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.