

Work Session held by the Town Board, Town of Yorktown on February 8, 2011. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Susan Siegel, Supervisor
James J. Martorano, Councilman
Terrence P. Murphy, Councilman
Vishnu V. Patel, Councilman
Diana L. Quast, Deputy Town Clerk

Absent: Nicholas J. Bianco, Councilman

EXECUTIVE SESSION

Supervisor Siegel motioned, seconded by Councilman Martorano, to move into Executive Session to discuss litigation and advice of counsel. Upon motion made by Councilman Martorano, seconded by Councilman Murphy, Town Board moved into the work session.

WORK SESSION

Supervisor Susan Siegel called the meeting to order. Town Attorney Jeannette Koster was also present.

CROTON OVERLOOK DRAFT SEQRA POSITIVE DECLARATION ADOPT POSITIVE DECLARATION, SCOPING SESSION RESOLUTION # 54

Upon motion made by Supervisor Siegel, seconded by Councilman Martorano,

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Review Act) of the Environmental Conservation Law.

The Town of Yorktown Town Board, as lead agency, has determined that the proposed action described below may have a significant impact on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action: Croton Overlook Development SEQR Status: Type 1

Scoping: Yes If yes, indicate how scoping will be conducted:

Public scoping session

Description of Action: The applicant proposes to develop a 72 lot subdivision to facilitate the construction of a 55 and over active adult residential community. The project will consist of 70 residential fee simple duplex units on individual lots, one 44-acre lot dedicated to open space, and one lot for the wastewater treatment system with a subsurface infiltration area. The project is located on a 62.76 acres site currently zoned R1-80. The proposal requires a change in zoning from R1-80, Single Family Residential to RSP-1, Age Oriented Community. The project will require the following approvals and permits, including but not limited to: a zone change from the Yorktown Town Board, a subdivision approval and site plan approval from the Yorktown Planning Board, county health department approval for wastewater treatment and water systems; Town of New Castle approval for water system; NYSDEC SPDES permit; NYCDEP SWPPP approval.

Location: (Include street address and the name of municipality/county. A location map of the appropriate scale is also recommended.)

Dell Ave. & Route 100, Town of Yorktown /
County of Westchester

SEQR Positive Declaration Page 2 of 3

Reasons Supporting This Determination:

Impact on Land Use and Zoning Existing Conditions - The proposed project is located adjacent to the Croton Reservoir in an area of very low density single family housing. The proposed use does not conform to area-wide planning studies and land use plans such as the town's Comprehensive Plan and Westchester County's Patterns for Westchester, and Westchester 2025. Issues associated with this change of use and non-conformance with adopted land use plans needs to be considered and adequately studied.

Impact on Visual Resources - The proposed project will have an impact on existing viewsheds, the aesthetic character of the neighborhood, and the scenic values which were deemed worthy of protection and preservation. As the proposed project is visible from multiple locations, these aesthetic values may be adversely affected, and need to be fully considered and adequately studied. Potential impacts to Kitchawan Preserve, a critical environmental area as designated by Westchester County needs to be considered.

Impact on Environment – The proposed project may have impacts resulting from the proposed community sewage treatment system, and the future impact that may result from the failure of the system.

Impact on Soils, Topography, Steep Slopes, and Geology - The project poses a risk of adverse impacts from erosion during construction, and impacts associated with permanent alteration of existing topography. The on-site soils, topography, steep slopes ranges of 0 to 10%, 10 to 20% and > 20%, rock outcrops and underlying geology need to be adequately analyzed.

Impact on Plants and Animals - Flora and Fauna - The proposed project has the potential to adversely impact existing resident plant and animal populations, habitats, and wildlife corridors. The project may adversely impact any vernal pools on the site, if present. The project needs to be evaluated in context of the "Biodiversity Conservation Study" (June 2009) prepared by Sterns & Wheler, and of the "Croton to Highlands Biodiversity Plan" (2004) prepared by the Metropolitan Conservation Alliance as it relates to the site. The proposed project has the potential for adverse impacts to existing on-site tree inventory and to Yorktown' community forest as defined in the town's tree ordinance.

Impact on Wetlands and Surface Water Resources - Disturbance of wetlands, watercourses, vernal pools and buffers have not be adequately evaluated and will need to be fully considered.

Impact on Cultural Resources - The proposed project may impact historic, or prehistoric, or paleontological resources. The proposed site must be evaluated for the potential for the existence of these resources on the site.

Impact on Demolition and Construction - The proposed project may exhibit adverse impacts from construction, such as blasting, erosion, phasing, etc. The proposal needs to describe measures to minimize demolition and construction-related impacts to air quality, water quality, traffic safety, and noise.

Impact on Community Facilities - (Emergency Services.) The proposed project will have an impact to the existing emergency services system. Those potential impacts to community facilities and services need to be fully considered and addressed.

Impact on Growth and Character - The proposed project will have an impact on community and neighborhood character, including an increase in density, affordable housing, both general and senior housing, the loss of neighborhood open space and recreation, and aesthetic values.

SEQR Positive Declaration Page 3 of 3

Impact on Stormwater Management – The construction of new impervious surfaces of 70 housing units and the associated roadways, driveways, and other pavements will potentially impact surface water flow, erosion, water quality and may also affect the Croton Reservoir, a source of potable water for the New York Metropolitan area.

Other potential Impacts:

Impact on Solid Waste

Impact on Utilities

Impact on Traffic Conditions, Safety, and Flow.

Impact on Fiscal Conditions

The above-described potential impacts are not intended to represent a scope of the Draft Environmental Impact Statement, but describe some of the reasons for requiring that a DEIS be prepared for the Proposed Action. The subject matter to be addressed in the DEIS will be described in greater detail when a draft scope is prepared for the Proposed Action and prior to the time when a final scope is adopted by the Town of Yorktown Town Board.

For Further Information:

Contact Person:

Address: 363 Underhill Avenue, Yorktown Heights, NY 10598

Telephone Number: (914) 962-5722

For Type I Actions and Conditional Negative Declarations, a copy of this Notice Sent to:

*Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001

*Appropriate Regional Office of the DEC

*Office of the Chief Executive Officer of the political subdivision in which the action will be principally located. Susan Siegel

*Applicant

*Other involved Agencies (if any) See attached list

Siegel, Martorano, Patel Voting Aye

Murphy Voting Nay

Resolution adopted.

SIDEWALK SNOW SHOVELING

The Town Board discussed the possibilities of modifying the existing law requiring sidewalks to be cleared 24 hours after the end of a snow event. The Town Board agreed to amend the law and will review a draft proposed local law on March 8, 2011.

QUICK START ARBOR DAY GRANT

RESOLUTION #55

Upon motion made by Councilman Martorano, seconded by Councilman Murphy,

Whereas, the Town of Yorktown authorizes the Planning Department to file an application with NYS Department of Environmental Conservation for an Urban and Community Quick Start Grant in an amount not to exceed \$1,000, and

Whereas, the urban and Community Quick Start grant does not require the Town to provide matching funds, now be it

Resolved, that upon approval of said request the Supervisor is authorized to enter into and execute a project agreement with NYS Department of Environmental Conservation for such financial assistance to the Town of Yorktown for the 2011 First Annual Arbor day Celebrations.

Siegel, Martorano, Murphy, Patel Voting Aye

Resolution adopted.

AUTHORIZE TREE ADVISORY COMMISSION TO FILE AN APPLICATION TO BECOME A TREE CITY WITH THE ARBOR DAY FOUNDATION

RESOLUTION #56

Upon motion made by Councilman Martorano, seconded by Councilman Murphy,

Whereas, the Town of Yorktown Town Board authorizes the Tree Conservation Advisory Commission to file an application to become a Tree City with the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters; and

Whereas, the Town of Yorktown has met the four criteria required to become a Tree City:

1. A Tree Board or Department
2. A Tree Care Ordinance
3. A Community Forestry Program with an Annual Budget of at least \$2 Per Capita
4. An Arbor Day Observance and proclamation; now be it

Resolved, that the Town of Yorktown will continue to meet the standards required by the Arbor Day Foundation for a Tree City, and encourages better care of community forests, provide people within the community cleaner air, shadier streets, and aesthetic beauty that healthy, well-managed urban forests provides, and increases public awareness of the many social, economical and environmental benefits of an urban forest.

Siegel, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

TOWN TRAFFIC TICKETS

The Town Board discussed the procedure for dealing with Town Traffic Tickets along with Police Officer Lawrence Eidelman, Police Detective Brian Shanahan and Police Lieutenant Robert Noble. The Town Board agreed to have the Yorktown Police Officers continue to adjudicate its own tickets.

POLICE DEPARTMENT STAFFING

RESOLUTION #57

Upon motion made by Councilman Martorano, seconded by Councilman Murphy,

Resolved, Chief of Police Daniel McMahon is authorized to have requested a Westchester County Civil Service Police Officer Certification of eligible list.

Resolved, Chief of Police Daniel McMahon is authorized to have requested a Westchester County Civil Service Sergeant Certification of eligible list.

Siegel, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

PURCHASE TWO POLICE VEHICLES OFF STATE BID

POLICE DEPARTMENT

RESOLUTION #58

Upon motion made by Councilman Martorano, seconded by Councilman Murphy,

Whereas, the Town Board of the Town of Yorktown has funded the purchase of two police vehicles in the Police Department's 2011 budget; and

Whereas, the State of New York Office of General Services has published specification and requested bids on the purchase of Ford Crown Victoria Police Interceptors; and

Whereas, the State of New York Office of General Services has received and reviewed the bids for the Ford Crown Victoria Police Interceptors; and

Whereas, Warnock Automotive, Inc BDA Warnock Fleet of East Hanover, New Jersey has submitted the lowest bid; and

Whereas, the State of New York Office of General Services has awarded contract #21895, Item #2 to the lowest bidder Warnock Automotive, Inc. BDA Warnock Fleet;

Now, Therefore be it resolved, that the Town Board of the Town of Yorktown hereby authorizes the Yorktown Police Department to purchase two (2) Ford Crown Victoria Police Interceptors from the State of New York Office of General Services Contract #21895 from Warnock Automotive, Inc BDA Warnock Fleet at a total cost not to exceed forty-three thousand four hundred dollars and no cents (43,400.00).

Martorano, Murphy Voting Aye
Siegel, Patel Voting Nay

Motion not carried.

AWARD GARBAGE CONSULTANT RFP
RESOLUTION #59

Upon motion made by Councilman Martorano, seconded by Councilman Murphy,

RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with Great Forest for the purpose of reviewing and making recommendations with respect to our current contract to collect curbside Trash and Recycling from residential homes in the Town of Yorktown. The fee for their service is \$ 8,750.00.

Siegel, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

ATTENDANCE POLICY FOR ADVISORY BOARDS

Supervisor Siegel discussed with the Town Board the adoption of guidelines for attendance for members of advisory boards.

Councilman Martorano stated that this is the province of the chair of the advisory boards to deal with. If it becomes an issue and if there is no other way to handle it then the Town Board should be notified.

ADVISORY COMMITTEE ON OPEN SPACE MEMBERSHIP RENEWALS

The Town Board discussed reappointments to the Advisory Committee on Open Space. The Town Board agreed to place this on the next Town Board agenda.

RESCIND AND RENEW HAPPY SOFTWARE LICENSE AND SOFTWARE SUPPORT CONTRACT

RESOLUTION #60

Upon motion made by Councilman Martorano, seconded by Councilman Murphy,

RESOLVED, that the Town Comptroller is authorized to pay Happy Software, Inc. for a one year software license and software support for computer software provided to the Section 8 Office, to cover the period from February 1, 2011 through January 31, 2012. The payment amount is \$3,520.00 as shown on the invoice dated November 30, 2011. The source of funds is Housing Assistance Payments Account maintained by the Section 8 office and funded by U.S. Department of Housing and Urban Development (“HUD”).

FURTHER RESOLVED, that this resolution supersedes the Resolution passed on January 25, 2011, which is hereby rescinded.

Siegel, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

RENEW EXSISTING ALARM CONTRACT MONTH TO MONTH
MARSHALL ALARM SYSTEMS
RESOLUTION #61

Upon motion made by Councilman Martorano, seconded by Councilman Murphy,

Resolved, that the existing alarm monitoring contract with Marshall Alarm Systems, approved by the Town Board on August 10, 2010, be extended on a month to month basis, at the same monthly fee as stated in the current contract, until an RFP for alarm monitoring services is prepared and a new contract entered into.

Siegel, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

TOWN BOARD AGENDA
FEBRUARY 15, 2011

The Town Board discussed the February 15, 2011 Town Board meeting agenda which will be held at 363 Underhill Avenue, Yorktown Heights, New York 10598 beginning at 7:30 P.M.

EXECUTIVE SESSION

Councilman Martorano motioned, seconded by Councilman Murphy, to move into Executive Session to discuss litigation.

ADJOURN

Councilman Martorano moved, seconded by Councilman Patel, to adjourn the Town Board meeting.

Diana L. Quast
Deputy Town Clerk
Town of Yorktown