

Meeting of the Town Board, Town of Yorktown held on February 13, 2018 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Ilan D. Gilbert, Supervisor
Alice E. Roker, Deputy Supervisor
Vishnu V. Patel, Councilman
Thomas P. Diana, Councilman
Edward A. Lachterman, Councilman

Also Present: Diana L. Quast, Town Clerk
Richard Abbate, Town Attorney

TOWN BOARD MEETING

Supervisor Ilan Gilbert called the meeting to order.

REPLACE TRAFFIC SIGNAL AT INTERSECTION OF HANOVER STREET AND MOSEMAN ROAD

A discussion took place regarding the replacement of the traffic signal at the intersection of Hanover Street and Moseman Road. Councilwoman Roker said that she would not like to see this become an emergency situation. Councilman Lachterman asked if a state bid exists for this because that would preclude the bid process. Councilman Patel asked who maintains this signal and Highway Superintendent David Paganelli stated that this, as well as 5 other traffic lights, are maintained by the Town. Councilwoman Roker suggested putting this item on next week's Town Board agenda. Dave Paganelli said that he would reach out to other cities to find vendors, and Councilman Lachterman suggested contacting cities like New Rochelle and White Plains. If they are using the same vendor for traffic light replacement, then that vendor probably has the best price.

YCCC RENTALS

Mrs. Patricia DeMarsh, YCCC Office Manager, gave an overview of the rental activity that takes place at the YCCC and how it is growing and serving the community. There are external tenants but also internal departments using the space. The YCCC has become a major location for the Department of Parks and Recreation; they utilize 4,200 hours a year. The use of the building continues to grow. Private rentals are more than 100 per year and the building also acts as an emergency center. They do a lot of recreation scheduling which can become challenging; they can only do bookings 6 months in advance. There are currently six long-term tenants. The licensing of rooms has also increased. The YCCC also offers a non-profit rate to non-profit groups.

Councilman Lachterman complimented the staff's attention to running the building. Councilwoman Roker said that the YCCC is truly a community center. Ms. DeMarsh stated there is a much more diverse use of the YCCC than there ever was in the past.

YORKTOWN LANDMARKS PRESERVATION COMMISSION

Ms. Lynn Briggs, as well as other members of the Commission, came before the Board to explain the function they serve in the Town. They wish to encourage residents to participate in the landmarked homes program which ultimately serves to celebrate the history of Yorktown and make it a more attractive place to live. Their members represent each area of the Town and bring their own skills and background to the team (education, business, and museum). Two laws govern their group, New York State Law and Town Code Chapter 198, and the Town Board approves or denies their recommendations. The Town of Yorktown has received Certified Local Government Status which is sponsored by the Park Service and state government which is a renewable status. Ms. Briggs explained how the law was recently amended to allow them to continue to pursue this status and continue to apply for grant money.

Ms. Briggs explained that the traditional Landmarking Program has had limited activity because people are afraid of the limitations that they fear would be placed on their homes. The Homes of Distinction program came out of this lack of response. People document the historic nature of their home, the Committee authenticates it and places a plaque on the home as a Yorktown Home of Distinction. There are now 31 such homes in the Town. She also mentioned that the Planning Department created story maps of each of the homes.

The Commission is required to maintain an inventory of the structures (both current and prospective), 200 of which have been identified and information gathered. This information is now in a database of the prospective landmark structures in the Town of Yorktown.

Ms. Briggs mentioned the Hyatt Burying Ground and its current state of disrepair (stones tipped over, yard waste dumped, etc.) and how it needs to get fixed and cleaned up.

Old landmark signs need to be replaced with something more durable (e.g., bronze) than their current material. She mentioned an approximate cost of \$14-\$15,000 to replace them all.

Ms. Briggs also talked about how Zino's Barn has been saved and how they looked at Parks and Recreation sites for its relocation. Of the 37 sites that were reviewed, only one met the specific criteria needed for the relocation: Railroad Park, placed between the depot and the basketball court. This is a "bank" barn and the stones used at the original site to create the bank are very valuable. Some of these stones could be used to create a sample bank barn at its new site. Ms. Briggs thanked the former board for its support. She talked about landmarking the barn and possibly the community center. Ms. Briggs and the members of the Commission proceeded to talk about what they want to accomplish this year and asked for the support of the new board in researching Zino's Barn and taking on cemeteries in order to take care of them. They would also like to see Nancy Milanese approved as liaison to the Commission. The Commission would like to hear about structures that are to be taken down so that they can weigh in at the outset regarding an applicant's ideas for the property. They would also like to see their own appropriation line, if possible, and would like to have access to the Town's ID and password to the Westchester County Land Records website.

Councilwoman Roker thanked the Commission for all of their work and what they have accomplished. She would like to see the people of Yorktown become aware of the work they have done. This would possibly be a topic for a project she would like to work on with the local government channel.

ALIENATION OF CERTAIN PARKLAND ON ILLINGTON ROAD

Ms. Marcia and Diana Saunders came before the Board to express their desire to purchase from the Town a certain piece of parkland near their home on Illington Road. They have been taking care of a local cemetery located there, and although they know they cannot purchase the cemetery they would still like to purchase the property in order to maintain it.

Supervisor Gilbert stated that an attempt to alienate this property was made two years ago when it went to the NYS Assembly but never made it through the agenda.

Ms. Marcia Saunders gave the history of the property and how they have taken care of it for more than 50 years. The descendants of the families in the cemetery are in support of the alienation. Ms. Saunders and her mother, Diana, have purchased and replaced headstones in their restoration of the cemetery.

When Ms. Saunders said that she would like to pursue alienation of the property, Councilwoman Roker asked alienation of what since they cannot purchase the cemetery. Ms. Saunders explained that the Town got the property in rem in 2005. Supervisor Gilbert said that the issue with alienation is that New York State likes to see exchanges made and the town has to document the inability to develop or build on the property. He also reminded the Saunders that they will see tax consequences but believes the process should move forward, as does Councilman Lachterman.

Councilwoman Roker stated that the Town can do their due diligence and send the Saunders letter out to the appropriate department heads to document that the property is worthless, followed by a public hearing, and then a petition to the State.

MOHANSIC TRAILWAYS

Jane Daniels came before the Board in order to bring back the issue of the application of a Wetlands Permit for the town-owned piece of property that the Yorktown Trailtown Committee would like to see made an extension of the Mohansic Trailway. This was an application that was withdrawn by the Board last year because they felt residents in the community were not duly notified and informed of the action. Ms. Daniels was instructed to reapply for the permit, as well as organize a community meeting for residents. It was also brought to Town Attorney Richard Abbate's

attention to make sure that the AT&T cable located on the berm is well below the surface. David Paganelli said that the public hearing must be held before zebra striping can be done on Route 118 and Baldwin Road.

It was determined that this permit should be referred out and a public hearing set.

NYC DEP REQUEST FOR A WETLAND PERMIT FOR PILOT PROJECT TO TREAT AQUATIC INVASIVE SPECIES IN NEW CROTON RESERVOIR

Ms. Megan Taylor from the NYC DEP came before the board to request a wetlands permit so that the DEP can conduct a pilot program to rid two specific areas of the New Croton Reservoir of the invasive aquatic species Hydrilla Verticillata. This species has become a high alert issue; if they do not do this work, it will eventually affect our drinking supply. It is also a danger to our native plant species as well as animal species. Hydrilla was found in the reservoir in 2013. The Department of Conservation has treated the Croton River using fluorodone, the same substance the DEP will use. Two coves were selected because of their levels of hydrilla and distance from drinking water intakes. Treatments will not be going more than 5 feet deep via pellets that are shot out over the water surface. Harvesting of the plant is not possible due to its fragility; it would simply break off and the broken pieces are capable of reproducing and, therefore, spreading itself.

Councilwoman Roker stated that people have a right to hear about this and that should happen at a public hearing.

Mr. Dan Strauss, resident, asked what the process was in Croton when DEC did this and Ms. Taylor said that the DEC received a permit from Croton.

Ms. Taylor stated that the timing for this would be late spring through early fall; they would begin in May or June.

It was determined that this permit should be referred out and a public hearing set.

1447 DELAWARE ROAD – FULL STORM WATER POLLUTION PREVENTION PERMIT (FSWPPP) FOR THE INSTALLATION OF SEPTIC SYSTEM

Town Engineer Michael Quinn stated that the applicant is proposing to build a home on a vacant lot. There are no wetlands present and they are seeking a storm water pollution prevention permit and tree removal permit. He stated that his comments on the project are fairly routine except the Health Department mandated that they put in a drainage pipe so the septic field would be in the lowest part of the site. The applicant wants to run pipe through their property onto a paper street that is town owned. Apparently a letter was written a few years ago saying that this was okay to do and it was noted that former town attorney, Michael McDermott, stated that this was solely at the Town Board's discretion. The applicant has had renewals on their approval letter from the Health Department since 2009, and they are now just waiting for Town Board approval.

Councilwoman Roker asked if Michael Quinn would recommend this proposed project and he stated that he believed other solutions should be attempted first. The applicant spoke of alternate solutions. Councilwoman Roker stated that if a piece of property has not been developed at this junction, there is probably a good reason.

Mr. Quinn said that adjacent property owners have some responsibility for maintenance to the mid-point on paper streets and that the Town should look at other solutions. It was stated that in a perfect situation, the piping would connect to a drainage system, which there is none.

This project has been set aside for further discussion and to work on an alternate plan.

517 GIORDANO DRIVE – FULL STORM WATER POLLUTION PREVENTION PERMIT FOR THE CONSTRUCTION OF A PATIO

Town Engineer Michael Quinn stated that the owner wants to improve the outside of his home; the disturbance is in excess of 200 cubic yards, which necessitates a SWPPP. There is no tree removal planned. This is fairly straightforward action and would be a Town Board action.

The architect for the property said the plans include 2 patios and a barbeque pit. Rainwater will be collected into chambers (4) and a swale will be constructed. He showed where a sump pump would drain. The driveway pitches towards Giordano Drive and the driveway is being modified;

a trench drain will be installed to go into the drench tanks. Michael Quinn drafted conditions and, if the Board is in agreement, the resolution can be done at the next Town Board meeting.

1515 JOURNEY’S END ROAD – NOTICE OF VIOLATION FOR UNAUTHORIZED TREE REMOVAL

Mr. Victor Conte, representing the owner, appeared before the Board seeking a wetlands permit to continue work on the property at 1515 Journey’s End Road after have been served a notice of violation for unauthorized tree removal.

Mr. Michael Quinn stated that the property borders a water body. Two dozen trees had been removed in violation of the town code. A fine was paid and Mr. Conte is seeking a permit to continue the work. New trees should be planted and Mr. Conte has agreed. Mr. Conte explained the circumstances of what happened and said that he did not “clear cut” trees; many trees were left. Some of the cut trees were dead trees.

Ms. Jane Johnson, the landscaper, presented the plan that will be used for the replacement plantings of native trees and shrubs. Michael Quinn feels that this is a thoughtful plan but feels there should be a public hearing.

It was determined that this permit should be referred out and a public hearing set.

APPROVAL OF MEETING DATES AND TIMES FOR TOWN BOARD MEETINGS

A discussion took place regarding the dates and times for Town Board meetings for the remainder of 2018. Dates were agreed upon and a resolution will be on the next Town Board agenda.

APPOINTMENTS OF LIAISONS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS - The following appointments of liaisons were made:

BOARD, COMMITTEE, COMMISSION	LIAISON
ABACA	Ilan D. Gilbert
Advanced Life Support District Commission	Thomas Diana
Cable Television Committee	Alice Roker
Chamber of Commerce	Alice Roker
Community Housing	Stewart Glass
Conservation Board	Ed Lachterman
Fire Commission	Vishnu Patel
Library Board	Vishnu Patel
Open Space Committee	Vishnu Patel
Planning Board	Ilan D. Gilbert
Policy Advisory	Thomas Diana
Parks and Recreation Commission	Ilan D. Gilbert
Senior Advisory Committee	Ed Lachterman
Teen Advisory Committee	Ed Lachterman
Tree Conservation Committee	Stewart Glass
Zoning Board Advisory	Thomas Diana
Landmarks Preservation Commission	Alice Roker
Yorktown, Lakeland, Croton School Districts	Vishnu Patel
Ossining School District	Diana Quast
Public Safety	Alice Roker
CERT	Ed Lachterman
Yorktown Small Business Committee	Alice Roker

Councilwoman Roker said she spoke to Tom Sciangula and John Micewicz about FCC compliance regarding our local government channel and said that it is primarily to educate the public. She said that she would like to do some projects that would make our channel up to date.

Councilwoman Roker said that she would like to work with Tom to televise more of our committee meetings, like the Senior Advisory Committee, Conservation Board, etc. Doing so would help residents to know what volunteer opportunities exist in Town. Additional funds would go to Tom to shoot videos. Overall, Councilwoman Roker would like to see the station be more informational for the community. She spoke of doing shows with the council members that would highlight

areas of interest and would like to have department heads and their responsibilities displayed for the public to see what each department does.

Supervisor Gilbert said that he is in favor of such a project. He also spoke of the creation of two new committees: Economic and Business Revitalization Committee and Substance Abuse Prevention & Mental Health Committee.

There was a brief discussion of the repurposing of industrial buildings.

The Town Board discussed the resolutions to be placed on the February 20, 2018 Town Board meeting agenda.

ADJOURN

Upon motion made by Councilman Diana, seconded by Councilwoman Roker, the Town Board meeting was adjourned.

DIANA L. QUAST, RMC,
TOWN CLERK
TOWN OF YORKTOWN