

Meeting of the Town Board, Town of Yorktown held on February 10, 2015  
at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor  
Vishnu V. Patel, Councilman  
Susan M. Siegel, Councilwoman

Also present: Diana L. Quast, Deputy Town Clerk  
Jeannette Koster, Town Attorney  
John Tegeger, Planning Director  
John Winter, Building Inspector

#### TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel, the Town Board moved into Executive Session to discuss litigation, personnel matter related to particular people and Contract Negotiations.

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel, the Town Board moved out of Executive Session.

#### CROMPOND TERRACES

Mrs. Ann Kutter, Mr. Dan Ciarcia, Engineer for applicant, and Ann Cutignola, Tim Miller Associates were present to discuss with the Town Board its Environmental Assessment Form Table of Contents (EAF) for the Crompond Terrace Rezoning project. Mrs. Kutter explained that this is a draft EAF Table of Contents which will outline the topics to be studied during the scoping process for the project.

Mrs. Kutter stated that they have met with the Community Housing Board and will explore the possibility of a C-2R (Commercial Hamlet Center) Zone which allows apartments over commercial buildings. Mrs. Kutter also stated that they met with the Recreation Commission and they proposed the possibility of an indoor basketball facility. They will be working closely with the Recreation Commission regarding this project.

Supervisor Grace asked Mrs. Kutter to include RSP, C-2R and C-3 zones in its scoping document.

#### TEATOWN CROFT HOUSE

Representatives from the Teatown Lake Reservation were present to discuss with the Town Board its reasons for needing to demolish a building on its premises.

Mr. John DeVito, representing Teatown Lake Preservation explained that this building has become an economic burden and the structure will need thousands of dollars just to bring it up to the Building Code.

Mr. Jean-Francois de Laperouse, Chair, Landmark Preservation Commission stated that there is historical architectural significance with regards to this structure and he would like to see it preserved.

Mrs. Babette Ballinger stated that there are other funding possibilities to help preserve this building and then it would not be an economic drain.

Supervisor Grace stated that he toured the premises earlier today and asked Teatown to look for other uses for the building before taking it down. Teatown agreed to hold off on making decisions regarding the building until the local preservation group has a chance to explore other options but this must be done in a reasonable amount of time.

#### YCCC RENTAL FEES

The Town Board discussed with Patricia DeMarsh, Office Manager, YCCC and Margaret Gspurning, Building Maintenance the rental fees at the Yorktown Community and Cultural

Center (YCCC). The Town Board reviewed a rental fee schedule for the year 2014 outlining the fees paid by all users of the YCCC.

Supervisor Grace stated that the only fees waived by the Town Board were for groups that provided a service to the community.

Councilwoman Siegel would like to see a policy drafted so that Patricia DeMarsh does not have to check with the Town Board every time a group request the fee be waived for use of the YCCC.

Supervisor Grace stated that the decision to waive a fee should be granted by the Town Board on a case-by-case basis.

ENRICHMENT CENTER REQUEST TO USE ROOMS IN YCCC

The Town Board discussed a request from Enrichment Center a not for profit that runs 4th-8th grade after school programs. They currently rent space from the Yorktown School District for space at the French Hill School but will be losing that space at the end of the school year. They would like to use space at the YCCC. The Town Board decided that negotiations would be needed and will discuss this at a later date in a closed session.

APPROVE WAIVE OF FEE FOR USE OF YCCC

ALLIANCE FOR SAFE KIDS

RESOLUTION #66

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

Whereas, the Town Board waives the rental fee for the Alliance for Safe Kids for the 2015 Save A Life Event.

Grace, Patel, Siegel Voting Aye  
Resolution adopted.

APPROVE WAIVE OF FEE FOR USE OF YCCC

TACONIC POSTCARD CLUB

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

Whereas, the Town Board waives the rental fee for the Taconic Postcard Club for use of the YCCC.

Grace, Patel Voting Aye  
Siegel Voting Nay  
Resolution fails

CHICKEN LAW

Mr. John Winter, Building Inspector was present to discuss with the Town Board Local Law #2 of 2014 with regards to keeping fowl on residential lots. He would like the Town Attorney to draft a proposed local law to address the fee issue. The Town Board agreed.

SPECTRA/AIM PROJECT

Bruce Barber, Environmental Consultant was present to discuss the Spectra/AIM Project with the Town Board.

Councilwoman Siegel asked some questions regarding the project and asked Mr. Barber to prepare comments to be submitted to the NYC DEP regarding this project.

Supervisor Grace stated that Spectra had informed him that they would not be available until sometime in March to attend a Town Board work session meeting.

Mr. Bruce Barber stated that he would draft comments for the Town Board's review to send to the NYC DEP regarding the Spectra/ AIM Project. He also stated that with regards to the Junior Lake Park Mitigation Plan only a narrative of what is proposed has been drafted and a formal plan is needed and once that is completed the Recreation Commission will review the entire plan.

PROCEDURES

Supervisor Grace stated that he is not in favor of televising work sessions at this time because of the continued disrespect that is being shown towards Town Board members during televised meetings.

ZONING CODE

Councilwoman Siegel stated that she feels some changes to the Zoning Code are needed. She proposed some changes with regards to the definition of a Family and Convalescent Home.

Supervisor Grace stated that he is in favor of making some zoning code changes but not with the changes proposed by Councilwoman Siegel. He stated that they are too intrusive.

DENY SPECIAL USE PERMIT REQUEST  
482 UNDERHILL AVENUE – COMPASS WESTCHESTER

Upon motion made by Supervisor Grace, there was no second for this motion.

ETHICS

The Board of Ethics sent a letter to the Town Board outlining which advisory committee volunteers have not filled out an Ethics Disclosure Form as of yet. The Town Board decided to send letters to anyone that has not complied with the Ethics Code.

AUTHORIZE THE SUPERVISOR TO SIGN A CONTRACT WITH DASNY GRANT  
RESOLUTION #67

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel,

Whereas, the Town of Yorktown has been awarded two grants for renovations to the Yorktown Community and Cultural Center through the New York State Economic Development Assistance Program, each in the amount of \$100,000 with project ID #5731 and #3833, and

Whereas, the grant program requires the grant recipients to enter into a contract with the Dormitory Authority of the State of New York (DASNY) to participate in the program, now

Therefore, Be It Hereby Resolved, that the Supervisor of the Town of Yorktown is hereby authorized to execute a contract with the Dormitory Authority of the State of New York (DASNY) for the purpose of participation in the New York State Economic Development Assistance Program as a recipient of two \$100,000 grants as identified herein.

Grace, Patel, Siegel Voting Aye  
Resolution adopted.

CODE REVIEW

Councilwoman Siegel feels that the Town needs to fix some ambiguities in the Town Code.

Supervisor Grace asked Councilwoman Siegel to define the problem with the zoning code that she feels needs to be addressed.

Councilwoman Siegel stated that she feels the Code needs updating.

Supervisor Grace stated that if the Town Board wants to update the Code then we should start by having former Town Planner Ray Arnold review it and recommend changes.

ADJOURN

Upon motion made by Supervisor Grace, seconded by Councilman Patel,  
The Town Board Meeting was adjourned.

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Diana L. Quast, Deputy Town Clerk  
Town of Yorktown