

Work Session held by the Town Board, Town of Yorktown on April 27, 2010. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Susan Siegel, Supervisor
James J. Martorano, Councilman
Nicholas J. Bianco, Councilman
Terrence P. Murphy, Councilman
Vishnu V. Patel, Councilman
Alice E. Roker, Town Clerk

EXECUTIVE SESSION

Councilman Murphy motioned, seconded by Councilman Martorano, to move into Executive Session to discuss contract negotiations and an investigation update.

WORK SESSION

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

PLANNING APPROVAL REVIEW COMMITTEE

Members in attendance included David Steinmetz, David Klaus, Linda Miller and John Tegeder. Several non committee members including Ann Kutter, Ray Arnold and Barbara Wilkins were also in attendance.

Mr. David Steinmetz stated that the Committee had held regular meetings for the past five months. Their charge was to help improve efficiency in the planning review approval process. The Committee was pleased to present a draft report to the Town Board which they believe identifies a number of issues including a lack of communications between town departments and town boards. Mr. Steinmetz spoke about another recommendation which calls for a kick-off meeting after the application is formally accepted. This would be a meeting attended by the applicant, their development team and representatives of various departments including the Planning Department, the Engineering Department, the Water Department and the Highway Department. The committee also felt that the Town should provide detailed written materials explaining the planning review process.

Mrs. Linda Miller stated that they also believe that each board should designate a specific person as liaison. She further stated that in the long term, the Town Board should look at the special use permits it issued by the Town. Right now, special use permits can be approved by the Town Board, the Planning Board and the Zoning Board.

Supervisor Siegel thanked the Committee for its work and stated that Planning Director John Tegeder has agreed to work on new written materials for applicants.

FIRE MARSHAL

Yorktown Fire Chief Mr. Martin McGannon, Yorktown Fire Commissioner Arthur Ornek and Yorktown Building Inspector William Gregory were in attendance for this discussion.

Supervisor Siegel stated that when the Building Inspector first began his discussion with the Town Board regarding having a full-time Fire Marshall, she wanted to know how the Town of Yorktown would come up with the money to pay for this position. It was not included in the 2010 budget. Supervisor Siegel further stated that when she raised the issue of having the commercial property owners pay a fee for this service, there seemed to be no support for her idea.

Councilman Martorano agreed that he was against commercial property owners paying additional fees.

Mr. Thomas Iannicari, a representative of the New Yorktown Chamber of Commerce stated that his organization is also against paying additional fees.

There was more discussion concerning fees, including the question of why should residential property owners have to pay for commercial establishments being inspected by the Fire Marshall.

Building Inspector Gregory stated that it was the responsibility of the municipality to insure that inspections are done on these properties. Right now, nothing is being done and he is concerned.

Mr. McGannon explained that school districts outsource their inspections. They pay \$350 for each building that is inspected. He suggested that maybe something could be worked out whereby the Town and the school districts can work together.

Councilman Bianco stated that we have two people who would like to do this job part-time.

Mr. Gregory stated that the first time this position was included in his budget was in 2005. Part-time inspectors will not be able to do all of what is necessary. The Town of Yorktown currently has more than 900 buildings that need to be inspected.

Supervisor Siegel further stated that computer systems must also be put in place.

Supervisor Siegel stated that she would like to speak to the Town Board in closed session at the end of this meeting about a personnel issue which may be helpful to this discussion.

TREE ORDINANCE

Mrs. Ann Kutter and Mrs. Linda Miller and several members of the Tree Preservation Committee including Ron Buehl, William Kellner and Dale Saltzman joined the members of Town Board for this discussion.

Supervisor Siegel explained that after the many meetings on this proposed local law, she asked Mrs. Kutter and Mrs. Miller to look at what we currently have, what was authored by the Tree Preservation Committee and see if they could come up with something that would satisfy the community as well as the government.

Mrs. Kutter explained that they listed to the concerns that were raised at the previous public hearings. The concerns were generally about the environment as well as property owner rights.

We used the Community Forest concept. The goal of this concept is to preserve seventy (70) percent of the Community Forest

The proposal would apply to all property owners including the Town of Yorktown. There are restrictions on private property owners. There would also be a Community Forest Management Plan.

Supervisor Siegel asked the members of the Tree Preservation Committee if they had looked at the draft proposal and what they thought about it.

Mr. Buehl stated that they did look at the proposal. They wished they had come up with the concept, but he explained that there are problems with it that the committee would like to discuss.

Supervisor Siegel stated that she would like to give the Tree Preservation Committee time to come up with their recommendations concerning this proposal.

2010 CAPITAL PROJECTS

Jennifer Fava, Superintendent of Parks and Recreation, Joe Falcone, Chairman of the Recreation Commission and John Tegeder Planning Director were present for this discussion.

Supervisor Siegel explained that there were various capital projects that will be done this year and she wanted to know how they would all be paid for. She stated that the Planning Department has told her that Westchester County is about to go out to bid on Phase III of the Commerce Street Project which would cost the Town more than \$300,000. Baptist Church Road will cost \$3.6. The Town will have to deal with financing the improvements on the Sherman Court Bridge. Several Department heads have sent their Capital Improvement Budgets to the Town including the Parks Department where there are many projects including the removal of asbestos at the Holland Sporting Club. These projects have been overlooked for many years.

Councilman Bianco stated that payment for work done on Baptist Church Road was already bonded. He further asked if any of the park improvements can be paid out of the Park's Trust Fund.

Ms. Fava stated that there is very little left in the fund.

The Town Board puts projects in terms of what they call those of high priority and those that could wait. The cost of the projects considered as high priority was approximately \$3 million.

The Town Board then decided to vote not to begin Phase III of the Commerce Street Project and to do the asbestos removal at the Holland Sporting Club with fund balance.

PHASE III – COMMERCE STREET PROJECT

RESOLUTION #206

Upon motion made by Councilman Bianco, Seconded by Councilman Martorano,

RESOLVED, The Town Board has determined that due to fiscal constraints, the project known as Commerce Street Streetscape Phase III, partially funded with a Community Development Block Grant should be postponed and be it,

FURTHER RESOLVED, that Planning Director John Tegeder is authorize to inform the Westchester County Planning Department of its decision and be it

FURTHER RESOLVED, that the Yorktown Town Board will make an application to the Westchester County Planning Department with Community Development Block Grant Funds to complete the project at a future date.

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

HOLLAND SPORTING CLUB

ASBESTOS REMOVAL

RESOLUTION #207

Upon motion made by Councilman Bianco, Seconded by Councilman Martorano,

RESOLVED, that the Town Supervisor is authorized to enter into an agreement with an asbestos removing company for the Holland Sporting Club for a total not to exceed \$50,000.00.

FURTHER RESOLVED, the money will come from the town's fund balance.

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

SKATE BOARD PARK LEGISLATION

Ms. Fava and Mr. Falcone as well as Police Chief McMahon participated in this discussion.

Supervisor Siegel stated that because there is no longer an attendant at the Skate Board Park, the Town Attorney felt that the Town should have a law in place so that the Police can enforce the rules of the park.

Police Chief McMahon explained that the Police Department would enforce the law. But, they would not arrest a young person because they were not wearing a helmet. If this were to happen several times, perhaps, the skateboard would be taken away, but before they do that, the Town Attorney would have to tell them it was legal.

POLICE PRESS RELEASES

Chief McMahon and Lt. Richard Malan addressed the Town Board during this discussion.

Supervisor Siegel explained that the Town Board in her first days stated that they wanted to improve efficiency in every department, including the Police Department. She asked the Police Chief to stop the press releases that went out on a routine basis. Supervisor Siegel explained that she did not want to stop the flow of information but to be able to use the members of this department to their potential.

Lt. Malan explained that the Supervisor sent the Police Department a memorandum to discontinue its current practice of routinely preparing and distributing press releases for every arrest. Instead, we were to return to the old way the Police Department worked with reporters.

Supervisor Siegel explained that as a reporter for the North County News many years ago, she would come and read the police blotter.

Chief McMahon explained that due to recent changes in the law, before reporters looked at the blotter, a lot of information has to be redacted. The reporter will then tell them what arrest they are interested in. Lt. Soravilla who is our Public Information Officer must now hunt down the officer and sergeant in charge of the arrest and get the information. It now takes us up to one hour to redact and retrieve information that could have been disseminated to all of the reporters in the tri-state area in ten minutes.

Councilman Bianco stated that he is in favor of having information released in an efficient manner. He would like to see the Police Department return to what they were doing before the Supervisor told them to stop.

The Council agreed that the Police Department had a good policy and should return to it.

LOCK BOX

Supervisor Siegel explained that in trying to save money and improve efficiency in every department, we have found out that one half of the property owners pay their taxes through the mail and the other half pay in person at Town Hall.

If the Town were to utilize a lock box company, the money would be sent to them and the file of which property owners paid would be uploaded and sent to the Town's Tax Department.

Pat Caporale put together specifications for an RFP that the Supervisor would like to place on the next agenda.

Mr. Ken Belfer stated that he implemented a lock box system for his company. If anyone needs assistance, he would be happy to help out.

WETLAND PERMIT APPLICATION
ZEAL CONSTRUCTION – 1719 PARMLY ROAD

Mr. Kyle Kayler, of Geoscience and Land Surveying represented the applicant.

The information on file was found to be insufficient. The applicant was asked to make sure the wetland boundary was delineated so that the Town's Environmental Consultant Bruce Barber can make recommendation.

The Town Clerk also stated that the New York State Department of Environmental Conservation writes that the applicant must also obtain a permit from them as well. The Town must see evidence that the permit has been issued.

COMPREHENSIVE PLAN

Planning Director John Tegeder participated in this discussion.

Supervisor Siegel asked if all the members of the Town Board had looked at the draft findings statement.

Councilman Bianco responded that he doesn't recognize this plan. The Councilman further stated that he has many problems with this. Beginning on page 14 it talks about having a Main Street Village like Style in hamlets like Shrub Oak. This is the Town's Old Shrub Oak Implementation Plan which the residents hated. He further asked when did we vote to include apartments over commercial establishments, On page 15, it talks about big box stores, what about the discussion we had with representatives of Costco? On Page 25 where it talks about hotels, stating that they will have fewer visual impacts than an office building. There is a mathematical problem on page 40. There is a section on page 51 that needs to be revised. On page 54, it takes out having a stand alone Senior Center. This plan increases taxes, and traffic and hurts the environment.

There was discussion about building more flexibility into the Navajo Street Industrial Zone. The Supervisor also told the Town Board that the plan to build senior housing behind the new Chase Bank on Route 202 has been changed. There was a discussion with Westchester County to have work force housing in this area.

The Board agreed to the following changes, keep Mr. William Catucci's property on Lexington Avenue and Strawberry Road at its current zoning. To allow the Shipatelli's to retain their current R120 zoning. The owners of the Northern Westchester Restorative Care property also objected to their proposed zoning of R140. The Town Board agreed to keep it at R120. Several property owners who complained about the proposed rezoning of their properties at the public hearings will now be taken out of the plan including Mr. Jacob Hansmann, Joseph Adrian, and Dr. Beradis. The parcel where Different Strokes, a Pool Company on Route 6 will be left with a commercial classification.

TOWN BOARD AGENDA
May 4, 2010

The Town Board discussed the May 4, 2010 Town Board meeting agenda.

EXECUTIVE SESSION

Councilman Bianco motioned, seconded by Councilman Patel, to move into Executive Session to discuss the employment of a particular person.

ADJOURN

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

Alice E. Roker
Town Clerk
Town of Yorktown