

Work Session held by the Town Board, Town of Yorktown on
January 23, 2007. Yorktown Town Hall, 363 Underhill Avenue,
Yorktown Heights, NY 10598

Present: Linda G. Cooper, Supervisor
James Martorano, Councilman
Nicholas Bianco, Councilman
Matthew Metz, Councilman
Louis Campisi, Councilman
Alice E. Roker, Town Clerk

CLOSED SESSION

At 6:00 P.M., Councilman Campisi moved, seconded by Councilman Metz, to move into Executive Session to discuss the employment of particular persons, litigation and to conduct volunteer board interviews.

Councilman Campisi moved, seconded by Councilman Metz to move out of Executive Session and proceed with the Work Session.

WORK SESSION

Supervisor Cooper called the meeting to order. Town Attorney Kevin Sweeny was also present.

TEEN COURT

Members of the Alliance for Safe Kids, Joan Valenstein, Arte Lander, and a school psychologist joined the Town Board for this discussion.

The Alliance for Safe Kids is creating a teen court which will be staffed by teenagers, who will serve as defense and prosecuting attorneys as well as judges. The court will determine what sentence is appropriate for youngsters who have already pleaded guilty to a crime. This is a voluntary court. Other municipalities such as the Town of Greenburg and the City of Mount Vernon have similar programs.

SECTION 8 CONTRACT

Colette Rodgers, Program Director of Section 8 addressed the Town Board and asked them to adopt the following resolutions.

FAMILY SELF-SUFFICIENCY COORDINATOR AGREEMENT - MARY ELLEN BONNER RESOLUTION #39

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

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with Mary Ellen Bonner, Family Self-Sufficiency Coordinator, for a period commencing January 1, 2007 for a ten-month period ending October 31, 2007 to be paid in accordance with the terms of agreement.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted

SECTION 8 PROGRAM AGREEMENT

MARIA GAUDIO - CASE MANAGEMENT SERVICES

RESOLUTION #40

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

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign a contract between the Town of Yorktown Section 8 Program and Maria Gaudio to perform case management services outlined in the agreement for the Public Housing Agency for a 12-month period of January 1, 2007 and ending December 31, 2007.

BE IT FURTHER RESOLVED, that Maria Gaudio is to work 16 to 20 hours per week at an hourly rate of \$13 per hour.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted

TOWN BOARD MEETING AGENDA

The Board discussed the February 6, 2007, Town Board agenda.

CON ED TREE MAINTENANCE PROGRAM

Supervisor Cooper gave the members of the Board a copy of a Tree Maintenance Guide, tips on proper tree selection, planting and pruning which the utility companies including Con Edison will be handing out as it begins a major tree maintenance program in New York State. The program in Yorktown will start along Route 132.

SUSTAINABLE DEVELOPMENT

Yorktown Planning Director John Tegeder and Supervisor Cooper presented three resolutions which the NYS Department of Transportation would like the three communities who participated in the Sustainable Development Study to adopt.

A resolution supporting reconstruction and daytime access for Trucks onto the Bear Mountain Parkway. The City of Peekskill has already passed this resolution. The Town of Cortlandt has not. A resolution requesting a feasibility study of a Route 6

Bypass Alignment north of Mohegan Lake. After discussion concerning the possible sites for this bypass, the Town Board reworked the approving resolution. A resolution requesting the construction of the Bear Mountain Parkway Extension and the Preservation of the necessary right of way.

These resolutions will be placed on the February 6, 2007 agenda.

WETLAND PERMIT

1012 GAMBELLI DRIVE - JOHN FRANCESE

Mr. Francese outlined the process which he has taken so far. He met with the e-panel which he says instructed him to have his property's wetlands delineated and to get pool plans. Mr. Francese stated that he has done everything that he was told to do and would like to get a permit.

Councilmen Bianco and Campisi have both been to the site. The pool will be in the wetlands buffer.

Mr. Francese was asked if something could be moved on the property or if the pool could be made smaller? He said no to both questions.

Supervisor Cooper asked that nothing be done until she has a chance to visit the site. Councilmen Metz and Martorano will also visit.

Mr. Francese stated that he has done everything his neighbor Peter Grotto did and believes he should be treated the same.

The Board will revisit this issue on February 13th.

YORKTOWN FARMS REZONING

The Town Board was given draft decisions from David Steinmetz who represents the applicant and Town Attorney Kevin Sweeny. The Town Attorney's version raised several issues; Mr. Steimetz' resolution states that the applicant will build 22 market rate homes on the property. The Town Attorney removes market rate from his version. The issue here is that the current Town Code requires developers to set aside 10% of their subdivision's for affordable housing.

The next issue raised by Mr. Sweeny's draft decision, in Mr. Steinmetz's decision he writes: "VS shall construct all of the sewer improvements including the sewer pump station to service the Yorktown Farms Subdivision and the "Neighborhood Properties" as more particularly described in (the Sewer Improvements). VS shall not be obligated to install said sewer improvements if it does not obtain approval for 22 market rate homes in the Yorktown Farms Subdivision. Mr. Sweeny's version states that the developer will construct all sewer improvements irrespective of the number of lots ultimately approved by the Planning Board.

Mr. Steinmetz asked if the developer chose to build the twelve lot sub division which he can now build as of right, will the sewer kick in.

Mr. Sweeny stated that if the developer were to comply with the current zoning, there would be no need for this rezoning resolution.

The issue of affordable housing was brought up. The developer's attorney asked what if they built an affordable home off site. The developer, Mr. Santucci purchased a nearby parcel of land to build the pump station, what if he constructed the affordable home there. Mr. Steinmetz said he spoke to the Chair of Yorktown's Community Housing Board who told him that an affordable house would probably sell for \$190,000. He questioned if this type of home would fit into this community. He further asked the Board if they even considered that this developer has already agreed to build a pump station valued at \$1.5 million dollars which will not only serve his sub division, but the surrounding area. Ken Belfer, the Chairman of the Housing Board had no concern.

The Town Board explained that this new affordable housing regulation was promulgated by the Comprehensive Plan and questioned whether they wanted to abandon the statute.

Mr. Steinmetz reiterated the amount of time the developer has spent before the Planning Board as well as the Town Board.

Several Councilmen agreed that the developer had spent a considerable amount of time before the Planning Board. Mr. Steinmetz added that they had already had a public hearing prior to the time of the vote on the Comprehensive Plan. A decision was made to amend the law regarding the applicability of the law concerning affordable housing requirements. The law will be advertised at the next meeting, and then voted on February 20th.

Mr. Steinmetz stated that he would be away on February 20th and would prefer the decision on this development to be rendered at the first Town Board Meeting in March.

TERMINATE EMPLOYMENT
MERREL STRAFFORD - PUBLIC SAFETY
RESOLUTION #41

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

BE IT RESOLVED, that the employment of Merrel Stafford is hereby terminated effective January 25, 2007.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted

ADJOURN

Councilman Campisi moved, seconded by Councilman Metz to adjourn the Town Board meeting.

Alice E. Roker
Town Clerk
Town of Yorktown