

Work Session held by the Town Board, Town of Yorktown on June 26, 2007. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 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 Martorano, to move into Executive Session to discuss the employment of particular individuals, PBA Contract and conduct volunteer board interviews.

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

WORK SESSION

Supervisor Cooper called the meeting to order.

IBM PILOT

Wayne Spinei, IBM Program Manager of Economic Development, Craig Paeprer, Director of Operations and Robert DeAngelis were present to discuss IBM's request to begin a second Pilot (Payment In Lieu of Taxes) with the Town of Yorktown in 2010.

Mr. Paeprer spoke about the IBM's Thomas Watson Center which he says is one of only three wet labs that the company has throughout the world.

Mr. DeAnglis provided the Town Board with a handout detailing the proposed \$30 million investment.

A second handout provided the Board with yearly calculations of the proposed payment schedule as well as a property valuation description as well as comparisons to other similar properties.

Councilman Bianco asked for a list containing of Yorktown residents employed at the Watson facility. He further stated that he believes IBM is in default of the existing PILOT as it relates to the number of jobs.

Mr. DeAnglis stated that there is a provision in the PILOT to allow the company to be off from its projected number by up to 15%.

Mr. Paeprer told Councilman Bianco that he would attempt to provide him with whatever information he needed.

Town Assessor Robert Killeen explained that prior to the existing PILOT, IBM had successfully challenged their property valuation three years in a row.

The Town Board agreed to study the information and visit this subject at another time.

ACCESS WESTCHESTER

Supervisor Cooper began this discussion which included Jerome Thorpe, Jeff Williams and Gail Cartenuto-Cohn, members of the Board of Access Westchester, Jennifer Fava, Yorktown's Parks and Recreation Superintendent and James Hackett, Pat Caporale and Joe Falcone, members of Yorktown's Parks and Recreation Commission.

The Supervisor spoke about Access Westchester's mission to help organizations with projects that lead to independence and integration among persons of all ages and abilities. She asked them to help with Yorktown's plans to construct a wheelchair-accessible playground at Downing Park. The Supervisor further stated that it appears that some questions have now been raised concerning their involvement with the Town of Yorktown.

Councilman Campisi stated that he has some concerns. As liaison for the Parks and Recreation Commission, he participated in a discussion with a representative of Access Westchester concerning the playground. During this presentation, we were told if they were to do any work on this playground, it would be pro bono, or no cost to the Town of Yorktown. Councilman Campisi then displayed copies of letters and e-mails he received from Access Westchester. His first question was, who gave this company permission to request a grant on behalf of the Town. He also wondered why if the company was providing their services at no cost, why then are they asking the State to give them \$12,000?

Mr. Jeff Williams, a Board Member of Access Westchester agreed with the Supervisor that their paperwork should have been clearer, he explained that the grant which was being discussed, was not for the Town of Yorktown. The grant is theirs (Access Westchester), to be used to design and construct handicapped accessible facilities in New York State.

Councilman Metz stated that his biggest concern is that we get this park built.

SHOPPES AT YORKTOWN

Director of Planning John Tegeder, and representatives of the proposed development were present.

Mr. Tegeder presented a proposed local law for a planned development district overlay which would satisfy the zoning requirements of this parcel.

The Supervisor stated that the only other way to accommodate this development would be to rezone the property retail.

There was discussion concerning planned development districts among the board members.

Councilman Metz drew the discussion to a close by stating that in his opinion, the applicant's proposal would not go forward until the proposed road changes were agreed to by the New York State Department of Transportation. He further stated that these changes must alleviate not only additional traffic for this development but some of the current backup.

SAMSEL ABRAMS SUBDIVISION

Councilman Bianco led this discussion with three property owners living in the Samsel Abrams Subdivision. They live off a private road which has given them problems since they moved in. The developer has been told what changes were necessary, but chose not to make them.

The homeowners stated that they hired a company and had those changes made. They believe the developer should reimburse them the \$10,000 that was paid out. The homeowners asked that the Town Board turn over the developer's erosion control bond to them.

Town Attorney Kevin Sweeny explained that the homeowners request was legally not possible.

Councilman Metz suggested that since the developer has another subdivision before the Planning Board, that these homeowners speak about their experience with her during a public hearing.

TOWN CAR POLICY

Supervisor Cooper spoke about her discussion with various department heads concerning the Town's vehicle policy.

Councilman Campisi said that he met with members of the Fleet Committee and has come up with a new policy, which he believes is fair.

The Board held a lengthy discussion on Councilman Campisi's proposal.

Several members of the Board said if the proposal was adopted several department heads would lose their vehicles which were promised to them as part of their employment package.

Councilman Metz stated that he would agree to the policy if several department heads were included in this policy, the Assessor, the Nutrition Center Director and the Fire Marshals.

No resolution.

FLOOD PLAIN LOCAL LAW

Supervisor Cooper discussed a proposed law regarding flood plain management required by FEMA.

The proposal will be added to next week's agenda for advertisement of a public hearing.

PARKING EASEMENT AGREEMENT

TOMPKINS PROPERTIES, INC.

RESOLUTION #247

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

WHEREAS the Town of Yorktown is the owner of property on Underhill Avenue identified on the tax map of town of Yorktown as Section 37.18, Block 2, Lot 70; and

WHEREAS the Town-owned property is adjacent to, and partially on, a right of way described in Liber 3439, Page 34 filed in the Westchester County Clerk's Office; and

WHEREAS Tompkins Properties, Inc. is the owner of adjacent property at 317 Underhill Avenue identified on the tax map of Town of Yorktown as Section 37.18, Block 2, Lot 69; and

WHEREAS Tompkins Properties, Inc. wishes to obtain from the Town of Yorktown an easement for the parking of not more than:

- (i) six (6) vehicles from Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m., and
- (ii) one vehicle all day on Saturday and Sunday

in an area of Town-owned property adjacent to the North County Trailway and property owned by Tompkins Properties, Inc.; and

WHEREAS the proposed easement area is approximately eighteen and one half (18 1/2) feet by fifty-two (52) feet; and

WHEREAS the easement area is to remain available for public parking at all times other than those specified above; and

WHEREAS Tompkins Properties, Inc. will be responsible for making improvements to and maintaining (including repairs and snow plowing) the parking area; and

WHEREAS Tompkins Properties, will install a sidewalk of concrete pavers leading from Underhill Avenue easterly to the North County Trailway at a location shown on the site plan approved by the Planning Board; and

WHEREAS Tompkins Properties, Inc. will assist the Town of Yorktown with improvements to and maintenance of a garden project on land owned by the Town of Yorktown, as discussed during the Town Board Work Session on August 8, 2006; now, therefore, be it hereby

RESOLVED, that the Supervisor is authorized and directed to sign a Parking Easement Agreement with Tompkins Properties, Inc.

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

TOWN BOARD AGENDA

The Town Board discussed the July 3, 2007 meeting agenda.

ADJOURN

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

Alice E. Roker
Town Clerk
Town of Yorktown