

Meeting of the Town Board, Town of Yorktown held on May 26, 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
Gregory M. Bernard, Councilman
Thomas P. Diana, Councilman

Also present: Diana L. Quast, Deputy Town Clerk
Jeannette Koster, Town Attorney
Patricia Caporale, Town Comptroller
John Winter, Building Inspector

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Patel, the Town Board moved into Executive Session to discuss Certiorari Settlement. Upon motion made by Supervisor Grace, seconded by Councilman Patel, to move out of Executive Session and proceed with the Town Board meeting.

ETHICS BOARD

Richard Rubenstein, Ethics Board Chair was present with members of the Ethics Board to discuss hiring a professional to review and make recommendations on changing the Town's current Ethics Law.

Councilwoman Siegel stated that she feels the Ethics Board could review the current law and make recommendations to the Town Board on amending the law.

Mr. Rubenstein stated that the Ethics Board feels that having a professional review and make recommendations to the Town Board would be efficient and professional.

A majority of the Town Board decided to place this on the next Town Board agenda.

ANNUAL STORMWATER REPORT

Bruce Barber, Environmental Consultant updated the Town Board on the Annual Stormwater Report.

AUTHORIZE SUPERVISOR TO SIGN ANNUAL STORMWATER REPORT RESOLUTION #200

Upon motion made by Councilman Bernard, seconded by Councilman Patel,

Resolved, that the Town Board authorizes the Supervisor to sign the 2015 Annual Stormwater Report for the Town of Yorktown.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

IVY KNOLLS

Councilman Diana introduced residents who live in the Ivy Knolls neighborhood. Mr. Brown stated that he has lived in Yorktown for over forty-five (45) years and has concerns that Ivy Road has become a freeway and a cut-through during morning and evening commuting hours. They requested that speed bumps and signage be considered to reduce the amount of cars on the road and the speeding that is taking place. They also spoke about the playground, pond and drug related issues that are in the area. Councilman Bernard stated that he will contact the Public Safety Officer and will do a site visit to address these issues.

JUNIOR LAKE

Mr. Bruce Barber, Environmental Consultant was present to discuss the wetland permit application for the mitigation work to be done at Junior Lake Memorial Park. He explained that

this falls under the threshold of an Administrative Permit but it is up to the Town Board to have the Town Engineer issue the permit or have it go to a public hearing.

Supervisor Grace stated that he had no problem with this application having a public hearing. The Town Board agreed to hold a public hearing on June 16, 2015.

NORTHERN WESTCHESTER RESTORATIVE CENTER

Mr. David Barbuti, Architect for the Northern Westchester Restorative Center was present to discuss with the Town Board a request to amend its Special Use Permit to construct a parking lot for an additional 27 car open air parking lot and redesign existing trash receptacle area.

REFER OUT NORTHERN WESTCHESTER RESTORATIVE CENTER APPLICATION TO AMEND SPACIAL USE PERMIT RESOLUTION #201

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

RESOLVED, that the Town Clerk is hereby authorized to refer the application from Northern Westchester Restorative Care to amend a Special Use Permit to the agencies listed below for their review and/or recommendation, and

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency, and

BE IT FURTHER RESOLVED, that the Town Board would like your comments and or recommendations by June 22, 2015.

WC Planning Department
Town of Cortlandt

Town of Yorktown Agencies:

Highway Superintendent
Planning Board
Planning Department
Town Engineer
Conservation Board

Grace, Patel, Siegel, Bernard, Patel Voting Aye
Resolution adopted.

CHESTNUT PETROLEUM / MOBIL GAS STATION

The Town Board reviewed the application to amend a Special Use Permit for Chestnut Petroleum/Mobil Gasoline Station. The Town Board agreed to hold a public hearing on June 16, 2015.

REQUEST FROM YORKTOWN HEIGHTS FIRE DISTRICT TO WAIVE ALL PERMIT FEES FROM BUILDING DEPARTMENT RESOLUTION #202

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

Whereas, the Yorktown Heights Fire District is adding a second story to Station #2 on Locksley Road, now

Be it Resolved, that the Town Board waives all building permit fees with regards to this project.

Grace, Patel, Siegel, Bernard, Patel Voting Aye
Resolution adopted.

ATLANTIC BRIDGE PROJECT

Mr. Bruce Barber, Environmental Consultant was present to review the scoping document that was drafted to address concerns that the Town has regarding the Atlantic Bridge project. The Town Board agreed to place this on the June 2, 2015 Town Board agenda

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH CPI-HR AFFORDABLE CARE ACT

RESOLUTION #203

Upon motion made by Councilman Bernard, seconded by Councilman Diana

RESOLVED, that the Town Board authorizes the Supervisor to sign an agreement between the Town and CPI-HR for the period of June 1, 2015 to May 31, 2016 in the amount not to exceed \$16,000 for consulting services to remain in compliance with the Affordable Care Act (ACA).

Grace, Patel, Siegel, Bernard, Patel Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH NATURAL GREENSCAPES, INC.

RESOLUTION #204

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

RESOLVED, that the Town Board authorizes the Supervisor to sign an agreement with Natural Greenscapes Inc for the period of the Summer through Fall 2015 to provide plantings, watering and maintenance for planters and hanging baskets town wide at a total cost of \$9,809.00

Grace, Patel, Siegel, Bernard, Patel Voting Aye
Resolution adopted

SOBER LIVING RESIDENCES

The Town Board discussed proposed amendments to the Zoning Code regarding Sober Living Residences. Councilwoman Siegel stated that the Zoning Code needs to be updated to address Sober Living Residences

Councilman Bernard stated that these amendments to the Zoning Code have nothing to do with the clientele; it is to create a Special Use Permit that regulates Sober Living Residences.

Supervisor Grace stated that the definition of a Convalescent Home is sufficient and a new special use permit is not needed to address Sober Homes.

Town Attorney Jeannette Koster stated that there are many different issues with this draft amendment to the Zoning Code presented by Councilwoman Siegel and Councilman Bernard. The most significant would be having a special use permit that just addresses Sober Living Residences because that would single out a specific group of people.

ADJOURN

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

Diana L. Quast, Deputy Town Clerk
Town of Yorktown