

MINUTES OF THE DECEMBER 3, 2024 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE HELD AT 179 WESTCHESTER AVENUE, POUND RIDGE, NEW YORK, AND VIA ZOOM VIDEOCONFERENCE, COMMENCING AT 7:30 PM

PRESENT: SUPERVISOR KEVIN HANSAN
DEPUTY SUPERVISOR/COUNCILPERSON DIANE BRIGGS
COUNCILPERSON ALISON BOAK
COUNCILPERSON NAMASHA SCHELLING (via Zoom)
COUNCILPERSON DANIEL PASCHKES

ALSO

PRESENT: ASSISTANT TOWN ATTORNEY JOHN LOVELESS
TOWN CLERK ERIN TROSTLE

NOT

PRESENT: TOWN ATTORNEY WILLIAM HARRINGTON

I. CALL TO ORDER OF REGULAR MEETING

Supervisor Hansan called the meeting to order at 7:40 pm.

II. CALL FOR EXECUTIVE SESSION

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye, to call for an executive session on Tuesday, December 10, at 6:30 pm.

III. ANNOUNCEMENTS

- The Pound Ridge Business Association will host its annual Holiday Market at the Green on Saturday, December 7, from 10:00 am to 5:00 pm.
- Also on Saturday, December 7, there will be an afternoon of holiday jazz with the Pete Malinverni Trio starting at 4:00 pm at the Pound Ridge Library.
- The Pound Ridge Community Church will host its annual holiday cookie walk from 10:00 am to 4:00 pm on Friday, December 13 and Saturday, December 14.
- On Saturday, December 14, the Recreation Department will present Breakfast with Frosty from 9:00 am to 12:00 pm at the Pound Ridge Elementary School. Tickets are available online through Community Pass.

IV. PUBLIC HEARING – 2025 PRELIMINARY BUDGET

Director of Finance Steven Conti presented the 2025 Preliminary Budget.

Councilperson Boak observed that many improvements reflected in the budget have been grant-funded and that it has only been in recent years that the town has begun to secure large grants. Mr. Conti agreed, noting that in the early 2000s, annual grant funding was typically in the neighborhood of \$25,000. Councilperson Paschkes clarified

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that former Police Chief David Ryan was very successful at obtaining grants and that the previous comments refer to non-police grants.

Supervisor Hansan said that the 2025 Preliminary Budget anticipates revenue of approximately \$150,000 from taxes on cannabis. That revenue is significant because it can be directed toward capital projects that would have required funding from other sources, including a new shelter, camp office, and storage shed for the Town Park. Supervisor Hansan also explained that the trails project is grant-funded and American Rescue Plan Act (ARPA) monies will fund projects including accessible courtroom updates, a conceptual design for a new or expanded police facility, and improvements at the Highway Department and Recycling Center. The town continues to pursue grant funding to support completion of a new Comprehensive Plan.

Mr. Conti said that the budget line previously identified as “Ambulance” will be retitled WEMS (Westchester County Emergency Medical Service) to avoid confusion with the Pound Ridge Volunteer Ambulance Corps (PRVAC). Councilman Paschkes emphasized that PRVAC receives no funding from the town.

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Briggs, all voting aye to open the public hearing on the 2025 Preliminary Budget.

Resident John McCown, of 25 Miller Road, said he was puzzled about the interest in the bond anticipation note. Mr. Conti explained that the amount reflects seven months of interest rather than twelve.

Mr. McCown said he thought the projected interest numbers were still too low and that he assumed the town was unable to issue long-term debt due to a delay in completing outside audits. Councilman Paschkes said that Mr. McCown was incorrect on both counts.

Resident Jill Faber, of 120 Barnegat Road, asked whether the cannabis-related funds would actually be higher than projected. Supervisor Hansan said that the figure is conservative. Mr. Conti explained that there is a significant delay between initial collection of cannabis taxes by the state and receipt by the town because the state must pay the county before the county can pay the town.

Resident Katherine Biagiarelli, of 315 Salem Road, objected to a two-week delay in the bus inspection. She also asked why no one had yet applied for a grant to fund the purchase of a new bus. Energy Action Committee member Nicole Shaffer said

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that her committee has been reviewing grant programs that might fund a new bus but noted that identifying and appropriate grant is a long process. Supervisor Hansan emphasized the importance of finding the right grant at the right time.

Ms. Biagiarelli stated that she thought there were profits from camp and from partner programs. Mr. Conti, Councilperson Boak, and Councilperson Paschkes explained that profit and loss numbers that are computed on a per-program basis do not reflect significant overhead such as salaries, liability insurance, and maintenance costs. If the actual expenses associated with each recreation program were reflected in fees charged to participants, the fees would be prohibitively high.

Ms. Biagiarelli asked whether it was true that the Recreation Commission must seek approval from the Town Board for any expense greater than \$1,000. Mr. Conti said that that number is actually \$2,500. Councilperson Paschkes said that the same spending limit pertains to all departments.

Ms. Shaffer noted that the trails grant was \$250,000, not \$225,000.

Board Action: Motion by Councilperson Boak, seconded by Councilperson Paschkes, all voting aye to...

RESOLUTION 273-24

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye on the following:

RESOLVED, that the Town Board hereby adopts the 2025 Preliminary Budget, with the line previously titled "Ambulance" renamed "WEMS" and with the amount of the trails grant corrected to \$250,000.

V. PUBLIC HEARING – ENVIRONMENTAL IMPACT OF PROPOSED MULTI-USE PATH

Representing the town's engineering firm, Pitingaro & Doetsch, Kelly Morehead explained that SEQR review needs to be completed as a requirement of grant funding. Having previously declared its intent to serve as lead agency and having received no responses, the town is now able to declare lead agency status and to make a determination of significance. One of the items that needed to be completed as a component of SEQR review was the Phase 1A Archaeological Review, which has already been presented to the board.

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RESOLUTION 274-24

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye on the following:

RESOLVED, that the Town Board hereby declares itself lead agent for the proposed Pound Ridge Town Park Trails project for the purposes of State Environmental Quality Review.

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye to open the public hearing.

Resident Joseph Virgilio, of 207 Westchester Avenue, asked whether the review process applied to a trail adjacent to Westchester Avenue. Ms. Morehead explained that the environmental review process was done for interconnected trails in various possible locations but that no trails have been designed. Councilperson Paschkes said that before any construction can begin, there will be ample opportunity to comment on particular trail locations in at least one public hearing to be held at a future date. Ms. Morehead added that the trail would likely be a special use, in which case an additional public hearing would be required before the board could grant a special use permit. That hearing would provide another opportunity for public comment.

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye to close the public hearing

RESOLUTION 275-24

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Briggs, all voting aye on the following:

WHEREAS, the Town of Pound Ridge Town Board (“Town Board”) has reviewed the grant application and ancillary documents prepared for the design and construction of a multi-use path to allow access to property recently obtained by the Town of Pound Ridge and to provide better access to the Town Park and additional opportunities for outdoor recreation (the “Proposed Action” or “Project”); AND
WHEREAS, the Project is funded in part by a Recreational Trails Program (RTP) grant;
AND

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WHEREAS, the Project is located across several properties in the vicinity of 199 Westchester Avenue and 7 Old Pound Road within the R-2A zoning district in the Town of Pound Ridge, County of Westchester, State of New York, these properties consisting of the parcels identified by the following lock and Lot numbers: 9820-8, 9820-16, 9820-19, 9820-45.9, 9820-147, and 9820-152 (the "Subject Property" or "Site"); AND

WHEREAS, the Town Board has reviewed a Short Environmental Assessment Form (the "EAF") for the Project dated July 28, 2023, with Part I completed by the Town Engineer; AND

WHEREAS, Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617.3(a) require that no agency shall carry out, fund, or approve an action until it has complied with the requirements of SEQRA; AND

WHEREAS, 6 NYCRR 617.6(a) requires that when an agency receives an application for approval of an action it must:

- (1) determine whether the action is subject to SEQR,
- (2) determine whether the action involves a federal agency,
- (3) determine whether the action may involve one or more other agencies,
and
- (4) make a preliminary classification of the action; AND

WHEREAS Pursuant to 6 NYCRR Part 617, the Town Board declared its intent to serve as Lead Agency on October 15, 2024 to conduct an environmental review of the Project and exercised due diligence in identifying all other interested and involved agencies and in circulating written notice of its intent; AND

WHEREAS, pursuant to 6 NYCRR Part 617, the Town Board made a preliminary classification of the action as an Unlisted Action on October 15, 2024; AND

WHEREAS, pursuant to 6 NYCRR Part 617, the Town Board assumed Lead Agency thirty (30) days after the declaration of its intent to serve as lead agency to conduct an environmental review of the Project; AND

WHEREAS, the Town Board has independently considered the information provided in the EAF, as well as other documents prepared in support of the project, and the recommendations of the interested and involved agencies and comments from members of the public in its environmental review of the Project; AND

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WHEREAS, the Town Board has directed its consultants to prepare Parts II and III of the EAF and a proposed Negative Declaration for consideration at its November 19, 2024 meeting; NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein; AND BE IT FURTHER

RESOLVED, that the Town Board hereby determines that:

- (1) The Proposed Action constitutes an action that is subject to SEQRA;
- (2) the Proposed Action does not involve a federal agency;
- (3) the Notice of Intent for the Proposed Action was appropriately circulated to other interested and involved agencies, and
- (4) the Proposed Action is appropriately classified as an Unlisted Action; AND BE IT FURTHER

RESOLVED, that the Town Board hereby reaffirms its declaration of Lead Agency with respect to SEQRA review of the Project; AND BE IT FURTHER

RESOLVED, that based upon its review of the Project, documents submitted in support of the Project, the EAF, and comments and recommendations of other interested and involved agencies, and comparison of the Project with the Criteria for Determining Significance found at 6 NYCRR Part 617.7(c), the Town Board hereby finds that the Proposed Action constitutes an action which will not have a significant impact on the environment and, therefore, does not require preparation of a Draft Environmental Impact Statement; AND BE IT FURTHER

RESOLVED, that this determination of significance shall be considered a Negative Declaration made pursuant to Article 8 of the Environmental Conservation Law, and the Town Board hereby adopts and incorporates the findings set forth in the Notice of Determination of Non-Significance dated December 3, 2024 as if fully set forth and resolved herein; AND BE IT FURTHER

RESOLVED, that the Town Supervisor is hereby authorized to file any and all appropriate notices so that the intent of this Resolution is carried out.

IV. NEW BUSINESS

A. Town Board

1. Application to State Comptroller for Water District Approval

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RESOLUTION 276-24

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye on the following:

WHEREAS, pursuant to a resolution dated July 2, 2024 (the “July 2nd Resolution”), the Town Board of the Town of Pound Ridge approved the establishment of the Town of Pound Ridge Scotts Corners Water District (the “District”) under Article 12-A of the Town Law and directed that an application be prepared to seek approval from the New York State Comptroller (the “State Comptroller”) to create the District; AND

WHEREAS, the July 2nd Resolution was subject to permissive referendum and, on July 26, 2024, the Town Clerk received a petition requesting a referendum on the July 2nd Resolution; AND

WHEREAS, the July 2nd Resolution was approved by the voters in the proposed District at the special election held on October 24, 2024; AND

WHEREAS, subsequent to such voter approval in favor of the establishment of the proposed District, an application to the State Comptroller for approval of the creation of the District has been prepared in accordance with the State Comptroller’s regulations (Part 85) and provided to the Town Board for review; AND NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Pound Ridge, Westchester County, New York, as follows:

Section 1. The creation of the District has been approved by the voters of the District and may not yet be formally created until approval of the State Comptroller has been obtained.

Section 2. The application for approval of the State Comptroller was prepared at the direction of the Town Board. The Town Board believes the contents of the application to be accurate. The Town Board has determined that the District for which permission is sought is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof; and that all real property to be so assessed will be benefited

by the proposed improvements and that no benefited property has been excluded.

Section 3. The Town Board authorizes the Supervisor to finalize, execute and submit such application in substantially the form received by the Town Board.

Section 4. This resolution shall take effect immediately.

2. Proclamation to honor Geraldine Tortorella

RESOLUTION 277-24

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye on the following:

WHEREAS, Geraldine Tortorella is a land use attorney who has represented a wide array of Pound Ridge residents and landowners on a variety of projects before the Town's land use boards for more than three decades; AND

WHEREAS, she is being honored by the Land Use Law Center at the Elizabeth Haub School of Law at Pace University at its annual Land use and Sustainable Development Conference with the 2024 Founder's Award for her efforts and accomplishments in land use and sustainable development; AND

WHEREAS, the Town Board of the Town of Pound Ridge wishes to recognize Gerri for her work within the Town and for this significant achievement; NOW, THEREFORE, BE IT

RESOLVED, that Town Board of the Town of Pound Ridge hereby congratulates Geraldine Tortorella on receiving the 2024 Founder's Award.

B. Pound Ridge Community Church – Cookie Walk banner

RESOLUTION 278-24

Board Action: Motion by Councilperson Boak, seconded by Councilperson Paschkes, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the Pound Ridge Community Church to hang a banner advertising its annual cookie walk across Westchester Avenue in the business district from December 8, 2024 through December 15, 2024.

V. PUBLIC COMMENT II

Resident Nick Cianciola Sr., of 29 Autumn Ridge Road, repeated a view he expressed at the previous meeting that the job description for Recreation Assistant (Senior Programs Focus) be rewritten. He said that the existing job description would not attract superior candidates.

Councilperson Briggs, who serves as the Town Board liaison to the Recreation Commission, stated that applications have been received from fifteen highly qualified candidates.

VI. FINANCIAL MATTERS – Pay bills

RESOLUTION 279-24

Board Action: Motion by Councilperson Boak, seconded by Councilperson Paschkes, the motion passing 4–0 with Councilperson Schelling abstaining, on the following:

RESOLVED, that the Town Board hereby authorizes the Supervisor to pay the following claims as detailed in Abstract 21-2024:

Fund	Claim Numbers	Total Amount
General Fund	A01152–A01183	\$10,323.67
Trust & Agency Fund	AT00047–AT00055	\$5,410.00

VII. **ADJOURNMENT:** There being no further business to come before the Board, Supervisor Hansan adjourned the meeting at 8:33 pm.

Erin Trostle, Town Clerk
Dated at Pound Ridge, New York
December 13, 2024