

MINUTES OF THE OCTOBER 14, 2010 MEETING OF THE TOWN BOARD OF
THE TOWN OF POUND RIDGE HELD AT THE TOWN HOUSE, 179
WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 8:00 P.M.

PRESENT: SUPERVISOR GARY WARSHAUER; COUNCIL MEMBERS:
DANIEL PASCHKES, RICHARD LYMAN, PETER FALCO, PAUL
McCONVILLE

ALSO PRESENT: TOWN CLERK, JOANNE PACE
DEPUTY SUPERVISOR, JONATHAN POWERS

ABSENT: TOWN ATTORNEY, JAMES J. SULLIVAN, ESQ.

CALL TO ORDER: Supervisor Warshauer called the meeting to order at 8:00 p.m.

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilman McConville, seconded by Councilman Paschkes, all voting aye to hold an Executive Session immediately following the Town Board meeting for a personnel matter.

ANNOUNCEMENTS: None

**MINUTES: Acknowledge/Correct/Accept Minutes of Town Board Meeting of
October 7, 2010**

Board Action: Motion by Councilman Falco, seconded by Councilman Paschkes, all voting aye to acknowledge/correct/accept minutes of Town Board Meeting of October 7, 2010.

PUBLIC HEARING:

- **Continued Public Hearing to consider adoption of the Comprehensive Plan**
- **Board Action:** Motion by Councilman McConville, seconded by Councilman Lyman, all voting aye to open the Continued Public Hearing to consider adoption of the Comprehensive Plan.

Since we opened the Public Hearing to consider adoption of the Comprehensive Plan a few things have happened. The first was the Town Board received a letter from the Westchester County Planning Department with their recommendations and suggested language change and the second issue relates to Scotts Corners and how the Plan has addressed the infrastructure issue in the Business District. The Town Board received e-mails from residents and letters from the Business Association and Pound Ridge Partnership. Supervisor Warshauer said that it has always been the objective of the Comprehensive Plan Committee to achieve the best infrastructure they can for the Business District. The intentions were always to hopefully find a way to have the infrastructure balance the space in Scotts Corners.

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Over the years, there have been many engineering studies conducted to look at bringing in water lines and creating a sewer district. Those studies clearly did not result in any logical solution. Westchester County is very conservative with their requirements for septic and requires that the water coming out of a sewage treatment plant be discharged into a conventional leaching field. The Business District does not have the property to have a sewage treatment plant and ability to conform to the County requirements.

In reply to the letters received from the Pound Ridge Business Association and the Pound Ridge Partnership, Supervisor Warshauer suggested the following revised language in the Land Use and Zoning Section 5 of the Comprehensive Plan: Scotts Corners, d. “The Town should encourage residential and mixed uses, *and public and community facilities* in Scotts Corners which complement its semirural community character, and which add vibrancy and stability to the Pound Ridge *business district and overall* community. However, in the development of all uses, surface and groundwater quality must be protected and traffic impacts must be minimized.” He would like to add in at this point reference to the studies that have already been done. Then the paragraph would continue with “In keeping with this scale, the development of *appropriate* water and wastewater infrastructure *solutions should continue to be explored*. Further, the Town should *continue to urge the Westchester County Health Department to permit* the use of leading-edge technology and design to repair or replace *water*, septic or other wastewater systems that are failing or in need of upgrading.

Richard Mendes, resident, commented that this is an improvement over what was originally written but there are still factors that have to be considered and possibly put in the Plan, example the placement of dumpsters and whether or not they are adequately concealed or secured and lighting throughout the Business District. These are issues over and above septic and water issues in Scotts Corners and are completely ignored in the Plan. Supervisor Warshauer said that there are areas in the Plan that discusses architectural character. Ruth Mendes, acting President of Business District, thanked the Board for the re-wording. It is much more pro active and much more promising. Alison Boak, Pound Ridge Partnership, also thanked the Town Board for the re-wording but commented that the “traffic impacts must be minimized” is still in there and many of the business in Scotts Corners depend on outside traffic for their business, so she questioned the purpose of that language. Supervisor Warshauer said that the intention of that language is to insure that the scale and character of the Business District be in keeping with the character of the Town. We want to encourage people to come into the Business District, however, we don't want traffic jams or insufficient parking.

Charles Perri, Salon Perri, said that he feels traffic throughout Scotts Corners has been less. Supervisor Warshauer reiterated that we want to encourage traffic in Scotts Corners but it must be in balance with the capacity of our roads and available parking. Any impacts must be managed and mitigated. There have been too many cases of speeding through the Business District. This must be discouraged. The Town Board will be discussing the need for Traffic Calming Devices throughout Scotts Corners. The most recent suggestion is to put in raised crosswalks designed so that vehicles must reduce

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their speed to 15 mph to go over them. This will help slow down the speed of the vehicles coming through Town. We want to mitigate any adverse auto traffic, but encourage business traffic.

David Stolman, FP Clark Associates, Inc. prepared the draft revisions to the Summary and the Land Use and Zoning chapters of the draft Comprehensive Plan, in accordance with the discussion at the Town Board meeting of September 21, 2010, as well as in relation to the letter from the Westchester County Planning Board dated September 27, 2010. Bill Harding, Chair Comprehensive Plan, spoke first on the recommendations from Westchester County. They offered substantial and constructive comments. Under the Land Use and Zoning Recommendations, the Town's Plan showed in a build-out analysis under existing zoning a potential to build 917 additional dwelling units in Town. The County's build-out analysis yielded significantly lower results, identifying a potential for 441 new dwelling units. The County took out of the build-out analysis water supply land which may not be fully protected against development. The Plan should use the most conservative estimate, so they will use the County's analysis numbers instead and consider any further protection that the water supply lands deserve.

The County was also concerned about Scotts Corners. While the Town does well paying much attention to the scope and scale and keeping Scotts Corners in character to the rest of the Town, the Plan should discuss the potential for waste water and sewage treatment facilities. The County recommends that the draft Plan include a fuller discussion of infrastructure that outlines current limitations and challenges. The Town Board is right to consider amending the Plan to say they have spent a lot of time and effort in the past and will continue to spend time and effort looking at this issue.

Councilman Paschkes said that in the section Continuing Efforts to Address Fair and Affordable Housing Needs, page B-3, he feels we should add the history of the A-Home project, changing the zoning to create affordable housing. The County recommends that the Town's draft Plan be revised to identify and discuss means and sites for the development of Fair and Affordable Housing units. It should also reference the Fair and Affordable Housing Implementation Plan that outlines a process to develop 750 units by December 2016 in Westchester County.

David Stolman, FP Clark, went over a few recommendations from the County. Under Land use and zoning recommendations, the middle section on page 2 uses the words "immediate need to change all R3-A Single Family Residential districts", he recommends taking out the word "immediate". On page B-10 of the draft Plan, he recommends taking out "Immediately" in section b. He then read an amendment on page B-6 of the Plan that reads "*Based upon a parcel-based numeric and spatial build-out analysis recently conducted for the Town by the Westchester County Department of Planning as part of the Westchester 2025 initiative, 441 new residential lots could be created using existing zoning designations.* David Stolman feels that it is important to keep the potential to develop watershed properties in the Plan. He then referred back to page B-10 of the draft Plan and added a sentence to section b. "*As stated above, despite zoning code*

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on page B-10 2.C. doesn't have strong enough language to make sure all development is environmentally sensitive. Discussion took place regarding whether or not we have to change our zoning to achieve that. We don't need this change to protect the environment. Bill Harding suggested making those decisions regarding up-zoning following an appropriate analysis. You are not only up-zoning; you are maximizing the opportunity for fair and affordable housing. Another recommendation was made to change the language on page B-10 of the draft Plan Section 2.b. to read “Examine the need to change the current R-3A zone (3-acre minimum lot size) to R-4A (4-acre minimum lot size), or larger, where *appropriate*”. The Planning Board really looks into all applications thoroughly. It should be something that stays in the Plan because unless it is in the Plan, you cannot do anything about it later on and it can only be studied if left in the Plan.

Josina vander Maas asked if there is any mention to multiple housing. She was told that there is mention of this in the Plan. David Stolman went on to say that on page B-3 of the draft Plan, a sentence was added “*The Town has made a number of efforts to address fair and affordable housing needs.*” It continues to say that “In 1991, the Town enacted Section 113-57, Senior Citizen Housing, of the Zoning Law which provides for *a Town Board issued special permit for the development of projects with up to 50 units of senior, multi-family housing in all of the residential zoning districts in the Town.*” In the County's letter of recommendations, they falsely said on page 4 that “the Town of Pound Ridge is the only municipality in Westchester that does not have a zoning district that specifically permits multi-family housing.” On page B-13, under Housing, 6.d. should read “The Town should review existing regulations *and consider* the creation of *new provisions* to encourage alternative types of housing which are compatible with the character and *scale* of Pound Ridge *in an effort to promote the increased opportunity for fair and affordable housing in the Town.*” Supervisor Warshauer suggested that this can be accomplished by amending our existing multi-family senior zone.

David Stolman continued with discussion on Scotts Corners and referred to page B-5 of the draft Plan in the middle paragraph reading “...the convenience shopping and service needs of Town residents *and the immediate neighboring communities.*” After some discussion, it was suggested to eliminate the word “immediate” because it opens up the implication that it is intended to be more restricted. It would have to be eliminated in three other locations in the Plan.

David Stolman will incorporate all the suggested language changes and amendments and have a final draft for the November 4, 2010 Town Board meeting.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Falco, all voting aye to continue the Public Hearing to consider adoption of the Comprehensive Plan to November 4, 2010.

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Jon Powers thanked the community, the Comprehensive Plan Committee and the Town Board for all their input and quick turn around of recommendations and implementations into the Plan. Special thanks went to Bill Harding and David Stolman.

NEW BUSINESS:

Consider Traffic Calming Measures in Scotts Corner

The Committee working on traffic calming measures has not yet given recommendations to the Town Board but they are leaning towards slowing cars down by putting raised crosswalks. Tom Sangermano, Westchester Avenue, spoke of his concerns of excess speed on Westchester Avenue. The Town Board has received letters from residents on Westchester Avenue around the site of the fatality that happened on the Connecticut border this past summer. There have been numerous discussions about safety traffic calming measures in Scotts Corners and there was talk about an electronic speed sign or stop signs but there were down sides to putting in the stop signs. The goal is to slow down cars. Tom feels that the first phase should be to help slow down traffic right around the Connecticut border where there is the biggest problem. Jon Powers feels that the biggest problem is in Scotts Corners and it is the biggest risk. Discussion took place regarding the potential to extend sidewalks and put in a few raised crosswalks.

Councilman Paschkes commented that the raised crosswalks are not a good idea for the ambulance. He has had experience with humps and bumps and the patients can be jolted in the back of the rig. He asked that the Town Board give this serious thought before they approve the raised crosswalks. Les Maron, Westchester Avenue, mentioned that he has noticed that the average speed of cars has slowed down a little but the truck traffic is awful. There is an increase in truck traffic and they go very fast. He said that the Town Board can think about putting in weight restrictions on Westchester Avenue. It was suggested that trucks be prohibited from using Westchester Avenue. Supervisor Warshauer said that he is not sure they can do that but will look into it. This will be put on a future meetings agenda, once the Traffic Committee has formulated its recommendations.

Finance-requesting authorization to purchase a network switch and replace two computers as part of our annual computer maintenance program

Steve Conti, Director of Finance, is requesting authorization to purchase a network switch to replace the old one. It is important for the current network as well as prepares us for GIS applications. He is also requesting replacing two computers in the Town Clerk's office because they are more than five years old and will be using a new software package. There are funds in the IT budget for annual maintenance and upgrades. The server room switch will cost \$1995.00 plus \$250.00 for installation and configuration. This will come out of A1680.201. The two computers will cost \$1,800 plus \$432 for the monitors and this will come out of A1680.205. The installation and configuration services for the two computers will be \$1,000 and this will come out of A1680.410.

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RESOLUTION #: 185 -10

Board Action: Motion by Councilman Lyman, seconded by Councilman McConville, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes Steve Conti, Director of Finance, to purchase the server room core switch for a total price of \$2,245 to come out of A1680.201 and to purchase the two computers for the Town Clerk's office totaling \$2,232 to come out of A1680.205 and the installation and configuration services for the two computers for \$1,000 to come out of A1680.410. Steve Conti will make sure the purchase is on State Contract or within the guidelines of our Procurement Policy.

Town Clerk-requesting authorization to purchase the Clerk Licensing System from Business Automation Services, to manage dog licensing and other vital statistics

Joanne Pace, Town Clerk, is respectfully requesting authorization to purchase the Clerk Licensing System from BAS (Business Automation Services) which is required for the mandatory take over of the dog licensing system on January 1, 2011. The software also includes record keeping for vital statistics, conservation licenses and other general permits and fees generated from the Town Clerk's office. The quote for a 2 station network is \$4,870.

RESOLUTION #: 186 -10

Board Action: Motion by Councilman Lyman, seconded by Councilman McConville, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes Joanne Pace, Town Clerk, to purchase the Clerk Licensing System from BAS (Business Automation Services) in the amount of \$4,870 for a 2 station network.

Association of Towns – training school and annual meeting

Board Action: Motion by Councilman Lyman, seconded by Councilman McConville, the Board polled and motion passed 4-0 with Councilman Paschkes abstaining on the following:

RESOLVED, that the Town Board hereby appoints Councilman Daniel Paschkes as the Town's delegate and authorizes him to attend the Association of Towns 2011 Training School and Annual Meeting in New York City February 20-23, 2011 with the cost not to exceed \$950.00.

Town Board Meeting-time change

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Board Action: Motion by Councilman Lyman, seconded by Councilman Falco, all voting to change the commencement time of the Town Board meeting on Thursday, November 18, 2010 to 7:00 p.m. The meeting will be a Public Hearing on T-Mobile's application for the cell tower service in Scotts Corners and will be a joint meeting with the Planning Board.

FINANCIAL MATTERS

Pay Bills

RESOLUTION # 187 -10

Board Action: Motion by Councilman Lyman, seconded by Councilman Paschkes, motion carried 4-0 with Councilman Falco abstaining on the following:

WHEREAS, Councilman Falco has audited claims for payment and has reported that same could be paid, Now, Therefore, Be It

RESOLVED, that the Supervisor be and is hereby authorized to pay the following claims for payment provided there are sufficient funds in the account to which a claim may be charged:

GENERAL FUND	G		\$104,336.58
HIGHWAY FUND	D		\$113,245.41
PARKING DISTRICT	ST		\$ 31,215.27
TRUST & AGENCY	T		\$210,851.76
CAPITAL	H		\$6,933.82

Acknowledge receipt of monthly reports

Monthly reports have been received for September 2010 from the various departments and are on file with the Town Clerk's office.

ADJOURNMENT: There being no further business to come before the Board, the meeting was adjourned at 10:25 p.m.

Joanne Pace
Dated at Pound Ridge, New York
October 18, 2010