

MINUTES OF THE SEPTEMBER 3, 2024 SPECIAL 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 11:00 AM

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

ALSO

PRESENT: TOWN ATTORNEY WILLIAM HARRINGTON
TOWN CLERK ERIN TROSTLE

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 Boak, seconded by Councilperson Briggs, all voting aye to call for an executive session at 6:30 pm on Tuesday, September 17, 2024.

III. ANNOUNCEMENTS

- Thank you to Lisa Miller and the rest of the Pound Ridge Business Association for organizing yesterday's Artisan & Vintage Flea Market. Thank you as well to the community volunteers who supported their efforts.
- This Saturday, September 7, the Bedford Central School District will host its annual Fox Night at the Fox Lane High School Stadium. This event is open to all students, families, and staff members.
- The town's annual 9/11 observance will be held at the Pound Ridge Fire Department at noon on Wednesday, September 11.
- Westchester Power, a municipal electrical supply program that helps residents and small businesses access renewable energy at competitive fixed rates, will hold an information session at the Pound Ridge Library at 6:30 pm on Wednesday, September 11. A new contract will begin December 1. More information is available at sustainablewestchester.org.
- The county mobile shredder will be at the Pound Ridge Town Park on Thursday, September 12, from 10:00 am to 1:00 pm.
- The Pound Ridge Car Show will be held at the Town Park on Saturday, September 14, from 9:00 am to 4:00 pm. Registration information can be found online at poundridgecarshow.com.
- The Westchester County Mobile Passport Office will be at the Town Park from 10:00 am to 1:00 pm on Tuesday, September 17. More information is available on the county clerk's website at westchesterclerk.com.

IV. MINUTES

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Schelling, all voting aye to approve the minutes of the August 13, 2024 Town Board meeting.

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Briggs, all voting aye to approve the minutes of the August 21, 2024 special Town Board meeting.

V. PUBLIC COMMENT I

Resident Catherine Nathan, of 155 Upper Shad Road, asked that the Supervisor's newsletter announce the proposed public hearing on changes to the zoning code to regulate cannabis-related retail business activity. Supervisor Hansan said that the Town Board would need to take a vote to call for a public hearing before such a hearing could be announced.

Jessica Genova, of 53 Fox Run Road, expressed concern that establishing a water district would lead inevitably to construction of a wastewater treatment plant. Supervisor Hansan pointed out that information can be found on the town website regarding wastewater solutions currently being studied. They focus on community septic systems and do not contemplate a wastewater treatment plant.

VI. NEW BUSINESS

A. Town Board – Appointment of Kevin Finegan and Rex Lengyel

RESOLUTION 206-24

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

RESOLVED, that the Town Board hereby ratifies the decision made in executive session to appoint Kevin Finegan and Rex Lengyel as part-time police officers at an hourly rate of \$42.56, effective immediately.

B. Supervisor

1. Rules for special election regarding establishment of water district

RESOLUTION 207-24

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

WHEREAS, after all other proceedings required by Article 12-A of the Town Law were duly had and taken in connection with the proposed establishment of the Scotts

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Corners Water District (the “Water District”) in the Town of Pound Ridge, Westchester County, New York (the “Town”), the Town Board of said Town duly adopted on July 2, 2024, a resolution approving the establishment of said Water District and the construction of the improvements proposed therefor, at an estimated maximum cost of \$11,129,000, which resolution was adopted subject to permissive referendum; AND

WHEREAS, on July 26, 2024, the Town Clerk received a petition requesting a referendum by the owners of taxable real property situated in the proposed district as shown upon the latest completed assessment roll of said town, in number equal to at least five percent of the total number of such owners; AND

WHEREAS, pursuant to Section 91 of the Town Law, a proposition for the approval of such act or resolution shall be submitted at a special town election to be held not less than ninety nor more than one hundred five days after the filing of such a petition; NOW THEREFORE BE IT

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

Section 1. At the special election of the qualified voters of the Scotts Corners Water District of the Town of Pound Ridge, Westchester County, New York, being owners of taxable real property situated in the proposed Scotts Corners Water District, to be held on October 24, 2024, at the Town House, 179 Westchester Avenue, Pound Ridge, New York, in said Town, the polls at said special election shall remain open between the hours of 8:00 am and 8:00 pm, for the purpose of voting by paper ballot upon the proposition hereinafter set forth in the notice of such special election, as hereinafter provided, the form of which proposition as hereby approved.

Section 2. The Town Clerk, or Deputy Town Clerk in her absence from office, is hereby authorized and directed to cause a notice of said special election to be given by the publication thereof in the official newspaper of said Town, the publication of such notice to be made at least ten (10) days prior to the time of such special election. In addition, the Town Clerk, or Deputy Town Clerk in her absence from office, shall post or cause to be posted a copy of such notice on the signboard maintained pursuant to subdivision 6 of Section 30 of the Town Law, at least ten (10) days prior to such election and in at least four (4) other conspicuous places in the Town. The notice of said special election, the proposition to be submitted thereat, shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 3. Pursuant to Section 83 of the Town Law, the following persons are hereby selected from the list of Election Inspectors and Ballot Clerks previously designated by the Westchester County Board of Elections for general election purposes (pursuant to the Election Law), to act as election inspectors and ballot clerks for such special election:

Barbara Kanner
Camille Prisco

Section 4. The persons named above shall each be paid the sum of \$350.00 for each day of their services. Pursuant to section 83 of the Town Law, as soon as possible after completion of the special election, the inspectors shall file with the Town Clerk a certificate setting forth the holding of the election, the total number of votes cast upon the proposition, and the number of votes cast for and against the proposition, together with the name and address of every person voting at such election upon such proposition.

Section 5. This resolution shall take effect immediately.

Exhibit A

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN that a special election of the Town of Pound Ridge, Westchester County, New York, will be held at the Town House, 179 Westchester Avenue, in said Town, on October 24, 2024, at which the polls will be kept open between the hours of 8:00 o'clock am and 8:00 o'clock pm, or as much longer as may be necessary to enable the voters then present to cast their votes, for the purpose of voting by paper ballot on the following proposition:

WATER DISTRICT ESTABLISHMENT PROPOSITION

SHALL the resolution adopted by the Town Board of the Town of Pound Ridge, Westchester County, New York, on July 2, 2024, approving the establishment of the Scotts Corners Water District in said Town ("Water District") and the improvements proposed for the Water District to connect to the water supply owned and operated by the Aquarion Water Company, at an estimated maximum cost of \$11,129,000, with \$7,789,000 expected to be paid with a

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grant from the New York State Environmental Facilities Corporation and \$3,340,000 expected to be issued of general obligation bonds and/or notes of said Town, to be payable by benefit assessments upon the properties in said Water District, BE APPROVED?

A copy of the resolution referred to in the aforesaid proposition, including the boundaries of said Water District, and the map, plan and report (the "Engineering Report") relating thereto, are on file in the office of the Town Clerk of said town, located at 179 Westchester Avenue, and may be obtained or examined by any interested person during normal business hours upon advance request by emailing the Town Clerk at townclerk@townofpoundridge.com or by calling (914) 764-5549 during normal business hours.

Any person who is the owner of taxable real property situated in the Water District as shown upon the latest completed assessment roll of said Town shall be entitled to vote upon such proposition. Each tenant by the entirety, tenant in common, and joint tenant owning taxable real property in the Water District shall be entitled to vote. Owners of multiple parcels within the Water District are only entitled to a single vote in accordance with applicable law. A corporation, limited liability company, or partnership owning taxable real property titled in the name of such entity located in said Water District as shown upon the latest completed assessment roll of said Town, is entitled to one vote and such vote shall be cast on behalf of such entity by an authorized person upon presentation of a copy of a resolution of such entity authorizing such person to vote.

NOTICE IS HEREBY FURTHER GIVEN that the estimated maximum cost of said improvements is \$11,129,000. Of said estimated maximum cost, \$7,789,000 is expected to be paid with a grant from New York State Environmental Facilities Corporation ("EFC"), and \$3,340,000 of general obligation bonds and/or notes of said Town to be financed through EFC, assumed at an interest rate of 3% for a period of 30 years, are expected to be issued to pay for the remaining maximum estimated cost of the improvements in connection with the establishment of said District.

The costs of the proposed District will be apportioned based upon the equivalent dwelling unit (EDU) of each property in the proposed District. Each parcel will be initially assigned an EDU as set forth in Appendix I of

the Engineering Report. The annual user cost per EDU is approximately \$856.00, which a debt service cost of \$590.00 and an operation and maintenance cost of \$266.00, assuming the property does not exceed its designated EDU usage. The expected average annual cost to the typical property (as such term is defined in Article 12-A of the Town Law) in the proposed District will be approximately \$2,568.00 (for a commercial property with an EDU of 3) and the annual cost to the typical one-family home in the proposed District will be approximately \$856.00 in the first year in which operation, maintenance, and other charges and expenses are to be paid by said properties. Hook-up costs, being the expenses to connect a property to the District improvements, shall be the responsibility of the property owner. A detailed explanation is available in the Engineering Report, which is available upon advance request in the office of the Town Clerk during normal business hours.

NOTICE IS HEREBY FURTHER GIVEN that the capital project for said District and the establishment thereof has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, the Town Board has determined will not result in any significant adverse environmental impact. SEQRA compliance documentation is available on file in the office of the Town Clerk where it may be obtained or examined upon request by emailing the Town Clerk at townclerk@townofpoundridge.com or by calling (914) 764-5549 during normal business hours.

2. Call for public hearing regarding a proposed increase to the maximum age for new hires in Police Department

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye to call for a public hearing on September 17, 2024 regarding a proposed increase to the maximum age for new hires in the Pound Ridge Police Department.

3. Call for public hearing on proposed zoning code amendment to regulate cannabis-related retail business activity

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye to call for a public hearing on September 17, 2024 regarding proposed changes to the zoning code to regulate cannabis-related retail business activity.

Resident John McCown, of 25 Miller Road, asked whether any provision had been made for absentee voting in the special election on water district formation. He also asked whether the number of eligible voters had been determined.

Town Attorney Harrington responded that all voting will be in person, though corporate owners, such as LLCs, will be able to designate a voting representative. Election rules providing more specifics will be published soon. Several technical questions need to be resolved before a final determination can be made regarding the exact number of eligible voters.

The election inspectors include one Democrat and one Republican, both certified by the Westchester County Board of Elections. All documentation presented to the election inspectors by voters will be retained.

Mr. McCown said that it was his understanding that the referendum would pass if a majority of the eligible voters cast ballots in favor of it. On the contrary, Attorney Harrington said that it was his understanding that the referendum would pass if a majority of those who cast ballots are in favor. The question has been referred to district counsel for confirmation.

C. Highway Department – Heating oil tank maintenance

RESOLUTION 208-24

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

RESOLVED, that the Town Board hereby approves the expenditure of \$2,800.00 for heating oil tank maintenance, to include excavation of the tank and replacement of the sacrificial anodes.

D. Town Clerk

1. Standard Workday Resolution

RESOLUTION 209-24

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

BE IT RESOLVED, that the Town Board of the Town of Pound Ridge hereby establishes a standard work day of six (6) hours for Councilperson Paschkes and accepts his Record of Activities (ROA) result of 3.40 hours per month.

2. Special event permit for scarecrow contest

RESOLUTION 210-24

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

RESOLVED, that the Town Board hereby approves a special event permit for the Recreation Department's Paint 'n' Scare activity and scarecrow contest.

3. Special event permit for fall cornhole league

RESOLUTION 211-24

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

RESOLVED, that the Town Board hereby approves a special event permit for the Recreation Department's fall cornhole league with competition to be held on Sundays from September 8, 2024 through November 3, 2024 at the Village Green.

4. Sale of cemetery plot

RESOLUTION 212-24

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

RESOLVED, that the Town Board hereby approves the sale of Plot 429 (two gravesites) in Section 3 of the Pound Ridge Cemetery to Diane and William Rossler, of 7 Davids Lane, at a price of \$2,000.00.

E. Conservation Board – Repair Café banner

RESOLUTION 213-24

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

RESOLVED, that the Town Board hereby approves the Conservation Board’s request to have five sets of three banners each to be installed on the light posts in the business district beginning on October 14, 2024 to promote the upcoming Repair Café, which is scheduled for October 19, 2024.

F. Landmarks and Historic District Commission – Resignation of Jill Delaney

RESOLUTION 214-24

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

RESOLVED, that the Town Board hereby accepts the resignation of Jill Delaney as a member of the Landmarks and Historic District Commission.

Resident Calli Hayes, of Brook Farm Circle, said that installing thirty-nine separate water filtration systems should be less expensive than connecting to the Aquarion water supply. Supervisor Hansan explained that the filtration systems required for public use are much more expensive than residential filtration systems.

VII. PUBLIC COMMENT II

Ms. Nathan asked whether the Supervisor would commit to including information about the public hearing on cannabis-related zoning changes since a formal vote had been taken to call for that hearing. The Supervisor said that it would be included because after Ms. Nathan’s initial request, the Town Board had voted to call for the hearing and the newsletter incorporates a summary of actions taken at Town Board meetings.

VIII. FINANCIAL MATTERS – Pay bills

RESOLUTION 215-24

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Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, 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 15-2024:

Fund	Claim Numbers	Total Amount
General Fund	A00845–A00910	\$63,110.96
Highway Fund	D00172–D00181	\$8,616.48

IX. ADJOURNMENT: There being no further business to come before the Board, Supervisor Hansan adjourned the meeting at 8:16 pm.

X. RECONVENE AS PARKING DISTRICT COMMISSION: Supervisor Hansan called the meeting to order at 8:16 pm.

XI. ADJOURNMENT: There being no business to come before the Parking District Commission, Supervisor Hansan adjourned the meeting at 8:16 pm.

Erin Trostle, Town Clerk
Dated at Pound Ridge, New York
September 12, 2024