

**MINUTES OF THE FEBRUARY 25, 2025 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  
COUNCILPERSON DANIEL PASCHKES

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 7:34 pm.

**II. ANNOUNCEMENTS**

- Volunteers are needed to assist with the St. Patrick's Day senior luncheon. For more information, please contact the Recreation Department.
- Councilperson Briggs said that many residents have expressed concern about significant increases in their NYSEG bills over the last two months. She will seek guidance from our legislators on this issue and will explore opportunities for consumer education.

**III. MINUTES**

**Board Action:** Motion by Councilperson Briggs, seconded by Councilperson Boak, all voting aye, to approve the minutes of the February 4, 2025 Town Board meeting.

**IV. PUBLIC HEARING – Proposed moratorium regarding battery energy storage systems (BESS)**

Supervisor Hansan explained that there are currently no applications for large-scale battery energy storage systems (BESS) in Pound Ridge and that the purpose of the proposed moratorium is to ensure that the town will have the opportunity to determine whether any changes to the zoning code are needed.

Councilperson Paschkes emphasized that the proposed moratorium is a proactive effort to get out in front of a potential issue.

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

Resident Andy Karpowich suggested that residential systems be excluded from the moratorium.

Resident Melinda Avellino, who is also chair of the Conservation Board, discussed the addition of language regarding environmental impacts and safety concerns.

Resident Nicole Shaffer, who is also co-chair of the Energy Action Committee (EAC), said that small-scale systems are important for resiliency purposes. She stated that the EAC supports a moratorium because it will ensure that there is time for the town to take a measured, fact-based approach to crafting appropriate regulations.

Resident John McCown said he supports the moratorium.

Councilperson Paschkes suggested that any regulations may need to include requirements for first-responder training.

Councilperson Briggs stated that she agreed with Ms. Shaffer that a moratorium should not impose undue burdens on residents.

Supervisor Hansan recommended that the definition of BESS be amended to exclude residential and small-business installations.

Ms. Schaffer asked whether the list of worst-case scenarios was necessary. Councilperson Paschkes responded that the legislative findings section needs to articulate legitimate concerns.

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

**RESOLUTION 59-25**

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

**A LOCAL LAW ESTABLISHING A SIX (6) MONTH MORATORIUM  
PROHIBITING THE REVIEW AND APPROVAL OF APPLICATIONS AND  
ISSUANCE OF PERMITS FOR  
“BATTERY ENERGY STORAGE SYSTEMS” IN  
THE TOWN OF POUND RIDGE**

**LOCAL LAW NO. 1-2025**

Be it enacted by the Town Board of the Town of Pound Ridge, Westchester County, State of New York as follows:

**Section 1:** Purpose.

The purpose of this local law is to protect the public health, safety and welfare of the residents of the Town of Pound Ridge and to maintain the status quo by temporarily suspending the processing of land use approvals as provided herein and to further suspend the rights of landowners and their designees to obtain development approvals as identified below for a period of six months from the date of the adoption of this local law while the Town Board studies, analyzes, and determines potential appropriate revisions and amendments to the Town Code regarding the propriety of Battery Energy Storage Systems (as defined below).

**Section 2:** Definition.

**BATTERY ENERGY STORAGE SYSTEM:**

One or more devices, assembled together, capable of storing energy in order to supply electrical energy for commercial, industrial and/or utility applications.

**Section 3:** Legislative findings.

This ordinance is adopted to impose a six-month moratorium on the issuance of permits and/or approvals for Battery Energy Storage Systems. The Town of Pound Ridge recognizes that Battery Energy Storage Systems (“BESS”) are a key component to the viability and promotion of renewable energy sources. However, since the technology of these systems is still in its infancy, there is a significant amount of recent public concern about the potentially volatile nature of lithium-ion batteries,

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which stems from fires at three different BESS facilities in the State of New York beginning in May 2023.

In response to these BESS fires, New York State Governor Kathy Hochul found it necessary to form an Inter-Agency Fire Safety Working Group tasked with ensuring the safety of BESS across New York. On February 6, 2024, Governor Hochul released initial recommendations from the Inter-Agency Fire Safety Working Group, outlining enhanced safety standards for battery energy storage systems. The draft recommendations include potential updates to the Fire Code of New York State as well as a list of additional opportunities for defining and implementing best practices. If adopted, the changes will codify enhanced safety standards and continue to position New York as a national leader in responsible and reliable battery energy storage development.

Therefore, the Town Board, Planning Board, Zoning Board of Appeals, and Water Control Commission need additional information and assurances about the safety of these types of facilities, including but not limited to best practices for fire suppression and emergency response, ensuring the technology and availability of equipment necessary for local fire departments should a fire occur, precautions to take related to gas emissions and deterring any necessary fire suppression chemicals from impacting groundwater, and the adequacy of location and other standards for siting of BESS. The Town intends to study the safety and security of these energy storage systems, including thermal runaway, off gassing and toxicity, stranded energy, and ways to prevent fires, prevent by-product contamination, and ensure emergency responders have the necessary training and information to prepare and deploy resources in the event of a fire.

In addition, the Town is concerned about locating of BESS in proximity to residential properties and in other areas where fires from such facilities could result in substantial harm and damage to property and residents in the Town of Pound Ridge. The Town is also concerned about other adverse environmental impacts that may result from locating BESS on or in proximity to environmentally sensitive areas and with respect to adjacent properties.

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In short, the Town is concerned about the detrimental effects of BESS on the health, safety, welfare and quality of life of the residents and citizens of the Town of Pound Ridge. Given these concerns and the current lack of relevant data and information with respect to these issues, it is necessary for the Town Board to enact a six (6) month limited moratorium prohibiting the review and approval of applications and issuance permits for BESS in the Town of Pound Ridge while these issues are further considered, and the Town Code is adequately revised to address any outstanding concerns.

The Town of Pound Ridge, New York is located in two major watersheds: the Croton Watershed and the Long Island Sound Watershed. The northern part of Pound Ridge is in the Croton watershed, as is the Cross River Reservoir, a key part of the New York City water supply system. Other portions of Pound Ridge are part of the Silvermine, Mill, and Mianus Rivers subwatersheds, which ultimately drain to Long Island Sound. Pound Ridge also is a key part of the water supply system to the city of Stamford, Connecticut.

The Town's geography is varied across multiple ecosystems with changing topography, fauna and hydrography that are unique to the northeast. Across the Town, land elevation varies from close to sea level to approximately 600 feet. The Town contains geological rock outcroppings, wetlands, 100-year flood zones, and other environmentally sensitive lands. Much of the undeveloped land is wooded, with a large amount of preserved land, including over 3,000 acres of the Ward Pound Ridge Reservation.

The Town intends to study the safety and security of BESS, including thermal runaway, off gassing and toxicity, stranded energy, ways to prevent fires, prevent by- product contamination, and ensure emergency responders have the necessary training and information to prepare and deploy resources in the event of a fire.

**Section 4: Moratorium.**

Pursuant to the statutory authority vested in the Town to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board of the Town of Pound Ridge hereby declares a six (6) month moratorium on the review and

approval of new as of yet unfiled and any and all pending applications for any and all land use approvals, including site plan approvals, subdivision plats, building permits, special use permits and variances (hereinafter "Land Use Approvals") for all Battery Energy Storage Systems within the Town. During the period of this local law:

1. The Planning Board shall not accept any application, grant any approval to, or continue the review of a subdivision plat, site plan, special use permit, or other permit that includes the permitting, construction and/or development of a Battery Energy Storage System within the Town.
2. The Zoning Board of Appeals shall not accept any application or grant any approval for a variance or other permit that would have as a result the permitting, construction and development of a Battery Energy Storage System within the Town.

#### **V. PUBLIC COMMENT I**

Resident Nick Cianciola Sr. demanded answers to a number of questions about the Pound Ridge Fire District's need for an additional \$3.5 million for the firehouse expansion project.

Councilperson Briggs asked Mr. Cianciola whether he had attended meetings of the fire district commissioners and pointed out that the fire district has been informing residents about the project.

Councilperson Paschkes explained that the Pound Ridge Fire District is an independent government entity that is entirely separate from town government. The Town Board has no jurisdiction or control over the fire district or the actions of its commissioners. He recommended that Mr. Cianciola address his comments to the fire district commissioners.

Supervisor Hansan stated that representatives of the fire district have asked to attend the March 4 Town Board to make a presentation on the status of their expansion project.

## VI. NEW BUSINESS

### A. Recreation Department –North East Westchester Special Recreation

Recreation Supervisor Andrea Russo introduced North East Westchester Special Recreation Executive Director Ellie Arnemann and Program Director Nancy Bellini.

Ms. Arnemann explained that North East provides therapeutic recreation to individuals with developmental disabilities from twelve participating municipalities, enhancing their lives and supporting their caregivers. Currently North East provides services to over 500 clients ranging in age from 4 to 78, among them 22 Pound Ridge residents.

Ms. Bellini described the wide variety of programming North East offers, including a Saturday Clubhouse for ages 4 through 16; a summer day camp for ages 4 through 21; multi-day vacation travel programs for teens and adults; in-house activities such as arts and crafts, exercise, music therapy, and gardening; and athletic activities ranging from skills training to travel teams. North East's unified floorball team recently won a gold medal in Rochester and has been selected to compete in Turin, Italy.

Councilperson Boak asked how residents can access North East's programs. Ms. Bellini said that they can contact Ms. Russo, who will help initiate the intake process.

### B. Police Department

Police Chief Thomas Mulcahy thanked the community for supporting the Police Department and the family of Sergeant Gregory Walz after Sergeant Walz's sudden and untimely passing, which occurred just days after his recent promotion.

#### 1. Vehicle purchase and outfitting

#### RESOLUTION 60-25

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

RESOLVED, that the Town Board hereby approves the purchase, as budgeted, of a 2025 Chevy Tahoe with a five-year extended warranty from DeNooyer Chevrolet, at a cost of \$59,484.56 for the vehicle and \$5,125 for the warranty, for a total purchase price of \$64,609.56; AND BE IT FURTHER

RESOLVED, that the Town Board hereby approves the expenditure, as budgeted, of \$22,758.73 for the outfitting of the aforesaid 2025 Chevy Tahoe by Specialty Warning Systems.

**2. Purchase of bulletproof vests**

**RESOLUTION 61-25**

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

RESOLVED, that the Town Board hereby approves the expenditure of \$15,973.20, as budgeted, for the purchase of fourteen (14) ballistic vests from JKB Daira, with the cost of six (6) vests to be funded from the 2024 budget, the remaining eight (8) to be funded from the 2025 budget, and \$7,889.22 of the total expenditure to be reimbursed subsequently through a grant from the Department of Justice.

**3. RICl system upgrades, data migration, and maintenance**

**RESOLUTION 62-25**

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

RESOLVED, that the Town Board hereby approves the expenditure, as budgeted, of \$3,100.00 for upgrades to the Repository for Integrated Criminal Information (RICl) system and \$2,500.00 for data migration; AND BE IT FURTHER

RESOLVED, that the Town Board hereby approves the annual expenditure of \$3,100.00 for on-site maintenance of the RICl system.

**4. Appointment of Felix Corona, Jr.**

**RESOLUTION 63-25**

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

RESOLVED, that the Town Board hereby ratifies the consensus reached in executive session to appoint Felix Corona, Jr., as a part-time Police Officer at an hourly rate of \$44.26, effective immediately.

**C. Town Board – lease agreement with Pound Ridge Historical Society**

**RESOLUTION 64-25**

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



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RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the lease agreement with the Pound Ridge Historical Society for the rental of the Pound Ridge Museum for a five-year term beginning January 1, 2025, with the amendment of paragraph one to reflect a total rental fee of \$5.00.

**D. Town Clerk**

**1. Permission to advertise for bids**

**RESOLUTION 65-25**

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

RESOLVED, that the Town Board hereby authorizes the Town Clerk to advertise for bids for Highway materials and for maintenance services in Scotts Corners at the direction, respectively, of the Highway Superintendent and of the Maintenance Supervisor.

**2. Monthly reports**

The Town Clerk reported that the following monthly reports have been filed in her office and are available there for public inspection:

- Building Department monthly report for January 2025
- Receiver of Taxes monthly report for January 2025
- Town Clerk monthly report for January 2025

**E. Conservation Board – Repair Café banners**

**RESOLUTION 66-25**

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

RESOLVED, that the Town Board hereby approves the installation of fifteen Repair Café banners on light posts in Scotts Corners from February 28 through March 17, 2025.

**F. Human Rights Advisory Committee – Membership increase**

**RESOLUTION 67-25**

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

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RESOLVED, that the Town Board hereby approves in increase in the number of members of the Human Rights Advisory Committee from seven to nine.

**G. Old Pound Road Committee – Amendment of committee charge and reconstitution  
RESOLUTION 68-25**

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

RESOLVED, that the Town Board hereby approves the amendment of the charge for the Old Pound Road Committee such that the membership shall be constituted as follows:

- one Town Board member, who will serve as co-chair
- one member from the Recreation Commission or Recreation Department
- one resident of Old Pound Road
- one member of the Pound Ridge Water/Wastewater Task Force
- one member from the Pound Ridge Partnership
- one member from the Friends of Pound Ridge
- one member from a local environmental organization or committee
- one member from the Pound Ridge Business Association
- five Pound Ridge residents to serve as at-large members

AND BE IT FURTHER RESOLVED, that the committee is reconstituted as follows:

- Town Board member: Alison Boak
- Recreation Commission member: Rich Wetchler
- Old Pound Road resident: Sonia Bain
- Pound Ridge Water/Wastewater Task Force member: Mark Mosolino
- Pound Ridge Partnership representative: James Best
- Pound Ridge Business Association representative: Colette Dow
- Environmental committee representative: Andy Karpowich
- Members at large: Tina August, Joe Virgilio (co-chair), Alexander Goldfarb, Robert Rauch, and Cheryl Schacht

**H. Liaison Reports**

Councilperson Boak reported that the Old Pound Road Committee and the Trails Committee of the Energy Action Committee will meet to conduct a joint meeting and/or site walk of the Old Pound property.

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**IV. FINANCIAL MATTERS – Pay bills**

**RESOLUTION 69-25**

**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 04-2024:

<b>Fund</b>	<b>Claim Numbers</b>	<b>Total Amount</b>
General Fund	A00112–A00162	\$92,822.60
Highway Fund	D00033–D00050	\$56,872.47
Trust & Agency Fund	AT00009–AT00016	\$5,235.00
Capital Projects Fund	H00001	\$5,620.20

**V. ADJOURNMENT:** There being no further business to come before the Town Board, Supervisor Hansan adjourned the meeting at 8:44 pm.

Erin Trostle, Town Clerk  
Dated at Pound Ridge, New York  
February 27, 2025