

Pound Ridge Highway Dept.

290 Stone hill rd.

DATE: 8/30/2016

TO: Board Members

RE: New pick-up truck

Dear Members of the Board,

This memo is to ask your permission to purchase a new truck to replace one of the highway pick-ups. The truck being replaced is 10 years old and to fix it would not be cost effective. I have the money to purchase this truck from the sale of old equipment and I have talked to Steve in finance and he is ok with the purchase. The truck will be purchased off the Chautauqua county contract through Van Bortel Ford in Rochester, NY. I have attached a copy of the proposal for you to look at.

Thanks, Vinnie Duffield



Highway Superintendent



71 Marsh Rd East Rochester, NY 14445 585-586-7705 Fax 585-586-7706

**Vehicle Purchase Proposal**

Attention: Vinnie Duffield

Purchase Order#:

Town of Pound Ridge HWY

Quote# 22599

290 Stone Hill Rd

Chautauqua E-11-14 PFTH 2016Group 5, Item 3, Veh 3

Pound Ridge NY10576

Phone: 914-764-4373 Fax: 914-764-0163

Mobile: 914-755-4514 Email: vduffield@townofpoundridge.com

Item Description	Code	Qty	Your Price	MSRP
2016 F-250 XL Crew Cab 4x4 8.0' Box	W2B	1	\$ 28,998.00	\$ 0.00
Oxford White	Z1	1	\$ 0.00	\$ 0.00
CNG/LPG Fuel Capable Engine (w/6.2L only)	98F	1	\$ 289.80	\$ 315.00
*Electric Shift-on-the-Fly 4x4 Chautauqua Bid Only	213	1	\$ 0.00	\$ 0.00
Axle, Limited Slip (Ratio 3.73)	X3E	1	\$ 358.80	\$ 390.00
XL Décor Package Chautauqua Bid only only charged item part of 96V which is on vehicle	17F	1	\$ 202.40	\$ 220.00
LT265/70R17E OWL AT (XL/XLT)	TCD	1	\$ 418.60	\$ 455.00
Cloth 40/20/40 Split Bench - Crew Cab (XL Only)	1	1	\$ 289.80	\$ 315.00
*Cruise Control Chautauqua Bid Only	525	1	\$ 0.00	\$ 0.00
TowCommand Integrated Trailer Brake Controller	52B	1	\$ 248.40	\$ 270.00
*Premium Electronic AM/FM Stereo w/ Single CD/MP3 Player/Clock(XL fleet only) Chautauqua Bid Only	585	1	\$ 0.00	\$ 0.00
Steering Audio Wheel Controls	62D	1	\$ 64.40	\$ 70.00
*Power Equip Group on XL (Crew Cabs) Chautauqua Bid Only	90L	1	\$ 0.00	\$ 0.00
SYNC	91M	1	\$ 271.40	\$ 295.00
*Snow Plow Package Chautauqua Bid Only	473	1	\$ 0.00	\$ 0.00
Clearance Lights, Roof	592	1	\$ 50.60	\$ 55.00
Ford Powertrain Commercial Use Surcharge Required	Warr	1	\$ 100.00	\$ 100.00
Ford Powertrain Warranty 5 year, 100,000 mi \$100.00 Deductible 4x4	WarrG	1	\$ 1,623.80	\$ 1,765.00
Ford Snow Plow Surcharge	Warr	1	\$ 695.00	\$ 695.00
*Credit for DELETE Running Boards (Chautauqua Bid Only)		1	\$ -340.00	\$ -340.00
*Credit for Delete - Floor Mats (Slush) Chautauqua Bid Only, (Rubber mats not recommended on vinyl floors)		1	\$ -60.00	\$ -60.00
*Credit for DELETE Mud Flaps (Chautauqua Bid Only)		1	\$ -60.00	\$ -60.00
Delivery to Region 5	Reg 5	1	\$ 362.00	\$ 362.00
The Western "what stays on" package for a Western plow uniceil quote 01385 dated 8-11-16		1	\$ 2,262.83	\$ 2,459.60
Term is Net 15 Days A.R.V. Delivery from factory to dealer is estimated at 16-20 weeks. This Quote Expires In 60 Days or final Order date, whichever comes first.				
<b>Quantity on this Order: 1</b>				
<b>Total Price:</b>			<b>\$ 35,775.83</b>	
<b>Grand Total:</b>			<b>\$ 35,775.83</b>	

To place an order please sign and date this proposal and return it to

Van Bortel Ford along with a valid Purchase Order, Voucher, or Letter of Intent. Thank You!

Accepted By: \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Van Bortel Ford Inc (WBE) Federal ID 16-1609363 Salesperson: Tom Cavanaugh Quote: 22599

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**Marianne Vitelli**

**From:** Regina F. Kelly <rfkelly@reginakellylaw.com>  
**Sent:** Tuesday, August 02, 2016 2:58 PM  
**To:** Marianne Vitelli  
**Cc:** ebiew@optonline.net; sharon griffith; Louise Paolicelli  
**Subject:** Agenda for Sept Town Board meeting

Dear Marianne, As we discussed, please put the Pound Ridge Historical Society's request to use the Neighbor to Neighbor's bus for their Nov. 6, 2016 historical tour and a tour for the Neighbor to Neighbor group on Nov 4, on the agenda for the September Town Board meeting. Thanks.

--  
Regina F. Kelly, Esq.  
Law Offices of Regina F. Kelly  
171 Trinity Pass Road  
Pound Ridge NY 10576  
(914) 948-1957  
(914) 764-8052 Fax  
[www.reginakellylaw.com](http://www.reginakellylaw.com)

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**Marianne Vitelli**

**From:** Karen Taft  
**Sent:** Thursday, August 11, 2016 3:42 PM  
**To:** Richard Lyman; Marianne Vitelli  
**Cc:** clay@spinrep.com  
**Subject:** Steep Slopes Ordinance  
**Attachments:** Steep Slope Diagram.jpg; Steep Slopes Ordinance D2(1).doc

Dick,

Attached for the Town Board's review is the draft revised steep slopes ordinance prepared by Joe Eriole following numerous discussions with the Planning Board.

*Karen B. Taft*

Town of Pound Ridge  
Planning, Zoning & Water Control Commission  
ph. 914-764-3982  
fax 914-764-0102

**From:** Joe Eriole [mailto:erioleesq@gmail.com]  
**Sent:** Monday, August 08, 2016 12:25 PM  
**To:** Karen Taft  
**Subject:** Re: Steep Slopes Ordinance

Karen, I double checked my notes and the minutes, and I believe all that was left to do was to get a diagram from Joe's firm which would illustrate clearly the way steep slopes would be measured. I go that diagram. So here's the ordinance and the diagram (which I propose be actually inserted into the Code if the revision is adopted. I think you can refer.

**JOSEPH P. ERIOLE, ESQ.**  
Principal

**The Eriole Law Firm, P.C.**

E: [erioleesq@gmail.com](mailto:erioleesq@gmail.com)  
P: 845.417.4267  
F: 845.443.4010

**Conference Calls:**

Dial In; 712.775.7031  
Code: 891 850 640  
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On Thu, Aug 4, 2016 at 11:28 AM, Karen Taft <[ktaft@townofpoundridge.com](mailto:ktaft@townofpoundridge.com)> wrote:

Joe,

Where was this left? I think you were going to streamline the document? Clay was asking me if it had been referred to the TB.

Thanks,

Karen

*Karen B. Taft*

Town of Pound Ridge

Planning, Zoning & Water Control Commission

ph. [914-764-3982](tel:914-764-3982)

fax [914-764-0102](tel:914-764-0102)

## Chapter 89. Slopes Protection

### § 89-1. Legislative intent.

The purpose of this chapter is to establish regulations which prevent improper disturbance or alteration of steep slopes. These regulations are enacted with the intent of providing a reasonable balance between the rights of the individual property owner to the fair use of property, and the need to protect the local environment in the interests of the general public health and welfare by employing building and development methodologies and mitigation measures to preserve the character and quality of the natural and as-built environment of the site. The Town of Pound Ridge finds and declares it to be the public policy of the Town to further preserve, protect and conserve its steep slopes so as to:

- A. Maintain and protect existing terrain and its vegetative features;
- B. Preserve wetlands, water bodies and watercourses;
- C. Prevent flooding, protect important scenic views and vistas;
- D. Preserve areas of wildlife habitat;
- E. Provide safe building sites;
- F. Preserve the aesthetic character of the property; and
- G. Protect adjoining property by preventing:
  - (1) surface erosion,
  - (2) creep, and
  - (3) sudden slope failure.
- H. Promote the use of sensitive and sustainable methodologies and mitigation measures to preserve the character and quality of the natural and as-built environment of developed land.

### § 89-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### CUSTOMARY LANDSCAPING

Land maintenance involving tree trimming and pruning, the removal of dead and diseased vegetation, the care of existing lawn, the care of established noncommercial gardens, the care and the planting of decorative trees, shrubs and plants, provided that such activity complies with all other applicable ordinances, laws and regulations of the Town of Pound Ridge.

#### DISTURBANCE

The removal of vegetation and/or the filling, excavation, regrading or removal of soil, rock or retaining structures whether by hand labor, machinery or explosive, or any combination thereof, and shall include the conditions resulting from any excavation or fill. The condition of disturbance shall be deemed to continue until the area of disturbance is permanently stabilized.

#### PERMIT

That form of Town approval required by this chapter for the conduct of any regulated activity within any area of the Town defined as a "steep slope."

#### STEEP SLOPE

Any geographical area whether on a single lot or not, having a topographical gradient of 25% or greater (ratio of vertical distance to horizontal distance), with a minimum horizontal dimension of 25 feet, measured perpendicular to grade contours (see diagram below for reference), whether man-made or natural, whether created by a retaining structure or not, and shall be greater than 500 square feet in area. Individual areas of steep slopes within 25 feet of each other shall be regulated as a single steep slope area.

[insert diagram]

#### TOWN ENGINEER

A professional engineer licensed by the State of New York working as an employee or consultant for the Town of Pound Ridge, and/or the Town Engineer's and/or the Town Board's duly appointed and authorized representative.

### § 89-3. Exempt and regulated activities.

**Commented [JE1]:** Change Notation: Clearly identify the goals of the ordinance. Note to Board members: In addition to considering whether each of these items is indeed a goal you feel strongly enough about to include in the ordinance, note that I have included the aesthetic character of the property. The other items can be (to a certain extent) quantified and opined upon by an expert. "aesthetics" is more subjective obviously, and yet it is an important consideration for many communities looking to protect steep slopes, and some members clearly identified a desire to maintain this as a stated intent. So consider whether, and how, you want to include this concept.

- A. Exempt activities. Any customary landscaping not involving regrading is allowed without the need for obtaining a permit, provided that any such activities conform to all other applicable laws and regulations of the Town of Pound Ridge.
- B. Regulated activities. It shall be unlawful to create any disturbance of a steep slope as defined herein, other than an exempt activity, as defined above, without a specific written permit as required by this chapter. It shall additionally be unlawful to create any steep slope, other than as part of an exempt activity, without such permit. Such prohibitions apply to all sites, lots, or parcels of land, or any portion of any such site, lot, or parcel, located in the Town, without exception.

#### § 89-4. Approval authority.

- A. Prior to the issuance of any building permit for any activity on a lot(s) existing on the effective date of this chapter, the Building Inspector shall determine whether or not a steep slope as defined herein will be disturbed or created by a non-exempt activity concurrent with such activity, and applicants may be required to submit any documentation required by the Building Inspector to make such a determination. Where the Building Inspector determines that a steep slope will be disturbed or created in connection with such activity, the Planning Board shall be the approval authority for the issuance of a steep slope permit.

- B. The Planning Board will have authority to waive any required submission information as listed in § 89-6 of this chapter if it is determined that such information is not essential or necessary in approving a permit pursuant to this chapter, while maintaining the intent of the requirements set forth in § 89-5.

**Commented [JE2]:** Comment Notation: this language provides flexibility in making de minimus applications less onerous.

#### § 89-5. Standards for application review.

- A. Approval standards. Where a proposed disturbance, in the context of the proposed development of the site, is found to be consistent with the legislative intent of these regulations and Town planning policy, is determined to be in the environmental interests of the property, or where a disturbance cannot be avoided so that reasonable use of a property may occur, such disturbance shall be minimized through mitigation measures set forth in a permit of approval and shall be in accordance with the standards set forth herein, as follows:

- (1) The proposed activity will not result in creep, sudden slope failure, or additional post-construction erosion.
  - (2) The proposed activity will not adversely affect existing or proposed wells or sewage disposal systems.
  - (3) The proposed activity will not adversely affect any endangered or threatened species of flora or fauna.
  - (4) The proposed activity constitutes the minimum disturbance necessary to allow the property owner a reasonable use of the property.
  - (5) The planning, design and development of buildings shall provide for structural safety, slope stability and human enjoyment while adapting the affected site to, and taking advantage of, the best use of the natural terrain and aesthetic character.
  - (6) Such standards and requirements for ensuring safe and environmentally sensitive disturbance, creation, stability, regrading, erosion, cut and fill and advancement of the purposes of this Chapter as the Building Inspector, Town Engineer, or Planning Board may require in connection with any approval.
- B. Slopes above 35%. Where any proposed development proposes the disturbance or creation of a slope above 35%, the Planning Board shall grant a steep slope permit only where, in addition to the satisfaction of § 89-6(A)(1)-(24) above, it determines that (a) development alternatives which avoid such disturbance will result in a less safe or less environmentally sensitive site condition that which will be created by the proposed disturbance, or (b) disturbance of such steep slopes is necessary to provide ingress and egress and such access can be safely designed and constructed.
- C. Denial Standards. The Planning Board shall have the right to deny an application for steep slopes disturbance where it determines that the approval standards set forth in § 89-6(A) & (B) cannot, on balance, be met as proposed or with mitigation measures.

#### § 89-6. Permit application standards and requirements.

A. Coordination with other reviews. It is the intent of this chapter to incorporate the consideration of steep slopes protection into the Town's extant land use and development approval procedures in conjunction with the procedures of the State Environmental Quality Review Act whenever applicable. To the maximum extent possible, the review, hearings and decision upon any application processed under this chapter shall be coincident with similar procedures that the approval authority may undertake in regard to other applications that are directly related.

B. Application for permit. An application for a permit to disturb or alter a steep slope shall be filed with the following information and such other information as required by the Building Inspector or Planning Board:

- (1) The name and post office address of the owner and applicant.
- (2) The street address and Tax Map designation of property covered by the application.
- (3) A statement of authority from the owner for any agent making application.
- (4) A listing of property owners adjacent to, across streets or rights-of-way from and within 500 feet of the property and any additional property owners deemed appropriate by the approval authority.
- (5) A statement of the proposed work and purpose thereof.
- (6) Copies, in such reasonable number as determined by the approval authority, of a map and plan for the proposed regulated activities drawn to a scale of not less than one inch equals 50 feet (unless otherwise specified by the approval authority). Such map and plan shall be sealed and show the following:
  - (a) The location of the proposed construction or area of disturbance and its relationship to property lines, easements, buildings, roads, walls, sewage disposal systems, wells and wetlands within 100 feet of the proposed construction or area of disturbance for adjacent properties at the same elevation and within 500 feet for properties significantly lower, and any additional properties deemed appropriate by the approval authority.
  - (b) The estimated material quantities of excavation/fill.
  - (c) The location and size of areas of soils by soils types in the area of proposed disturbance and to a distance of 100 feet.
  - (d) The existing and proposed contours [National Geodetic Vertical Datum (NGVD)] at two-foot intervals in the area of proposed disturbance and to a distance of 100 feet beyond.
  - (e) Cross-sections of steep slope areas.
  - (f) Retaining walls or like constructions, with details of construction.
  - (g) The erosion and sedimentation control plan.
  - (h) A stormwater analysis consisting of a narrative and calculations of pre- and post-development runoff volume generation and flows rates, including the design of any stormwater management features required to prevent stormwater impacts.
  - (i) A list of all applicable county, state or federal permits which are required for such work or improvements.
  - (j) Calculations demonstrating soil stability using the Revised Universal Soil Loss Equation (RUSLE) methodology signed and sealed by a licensed professional engineer (PE) or a certified professional in erosion and sediment control (GPESC), and design calculations for materials required to prevent erosion.
  - (k) Other details, including specific reports by qualified professionals on soils, geology and hydrology, and borings and/or test pits, as may be determined to be necessary by the approval authority.
- (7) An application fee in the amount set forth in a fee schedule established by the Town Board.
- (8) The requirements of § may be waived by the approval authority where in its discretion doing so will not result in insufficient information to make a determination in accordance with the review and approval standards herein.

**Commented [JE3]:** Comment Notation: This is one way to make the process much less onerous for an applicant where appropriate.

C. Public hearing. Following the receipt of a complete application as determined by the approval authority:

- (1) Where a steep slopes permit is required as part of an application for subdivision, site plan, special permit review, or other review and approval, the Planning Board shall schedule and conduct a public hearing on the application for a steep slopes permit concurrent with any other required public hearing regarding such other reviews. In the case where a steep slopes permit is required but is not part of an application for subdivision, site plan, special permit review, or other review and approval, the Planning Board may schedule a public hearing, or may waive such hearing where it determines that doing so would not violate the intent of this Chapter.
- (2) In all cases where a public hearing is to be held by the Planning Board regarding an application for steep slopes permit, said public hearing will be held not later than 62 days after the receipt of a complete application as determined by the Planning Board. In the case where a steep slopes permit is required as part of an application for subdivision, site plan, special permit review, or other review, a public hearing shall be held after the receipt of a complete application is made for all required approvals as determined by the Planning Board. Notice of public hearings shall be given in the same manner as prescribed in § 113-63 of the Zoning Law. Nothing in this section shall be construed as authorization for default approval in the event this time period is exceeded in review of a steep slopes permit.

## § 89-7. Actions by Planning Board; Inspections.



A. Within 62 days from the close of any public hearing pursuant to § 89-6C(1) and (2) hereof, the Planning Board shall render a written decision to approve, deny, or approve with modifications and/or conditions the application, giving due consideration to the findings and recommendations of Town professionals, where appropriate. Such decision shall include a statement of finding upon which the Planning Board has relied in its decision. In approving any steep slopes permit application, the Planning Board may impose such conditions as it determines essential to ensure compliance with the intent and purpose of this chapter. The Planning Board shall file a copy of its decision with the Town Engineer and Building Inspector. Nothing in this section shall be construed as authorization for default approval in the event this time period is exceeded in review of a steep slopes permit.

B. A permit, unless otherwise indicated, shall expire upon completion of the work specified therein, shall expire upon the expiration of any accompanying building permit, and shall be valid for a period of one year from the date of approval. Permits may be renewed by the Planning Board or the Building Inspector, respectively, upon application submitted at least 60 days before the expiration of the permit. Standards for issuance of renewals shall be the same as for the issuance of permits. Permits, including all of their conditions, shall be binding on successors and assignees of the permit holder.

C. The Planning Board may require posting of a performance and/or erosion control bond(s) as a condition of approval; the amount and surety of such bonds is to be approved by the Town Board. The performance bond is intended to ensure the proper completion of the proposed activity in accordance with the approved plans, the restoration of the area to its natural condition as far as practicable and protection of adjoining property owners from damage resulting therefrom.

D. The Building Inspector, or the designated and/or authorized representative, shall inspect, on behalf of the Planning Board, activities undertaken pursuant to a permit so as to ensure satisfactory completion. If upon inspection it is found that any of the activities have not been undertaken in accordance with the permit conditions, the applicant shall be responsible for completing those activities according to the permit (in addition to being subject to the sanctions set forth herein).

## § 89-10. Penalties for offenses.

### A. Civil Sanctions.

(1) Any person found violating any provision of this chapter or conditions duly imposed pursuant thereto shall be served by the Building Inspector with a written notice stating the nature of the violation and providing a specified time within which the violation shall cease and satisfactory corrective action shall be taken by the violator.

(2) Any person who is found to have violated, disobeyed or disregarded any provision of this chapter shall be liable to the people of the Town of Pound Ridge for a civil penalty not to exceed \$10,000 for every such violation, as well as the Town's attorneys' fees, and such penalty assessed shall constitute a valid lien against such property until such penalty has been satisfied, and may be recorded of record and enforced as such by the Town.

(3) The Town shall have the power to seek appropriate relief, to direct the violator to cease violation of the chapter and satisfactorily restore the affected area to its condition prior to the violation or otherwise complete the terms and conditions of the permit. The Town may seek an order to compel the posting of a performance bond in an amount sufficient to complete, restore or otherwise improve the violation.

### B. Criminal sanctions.

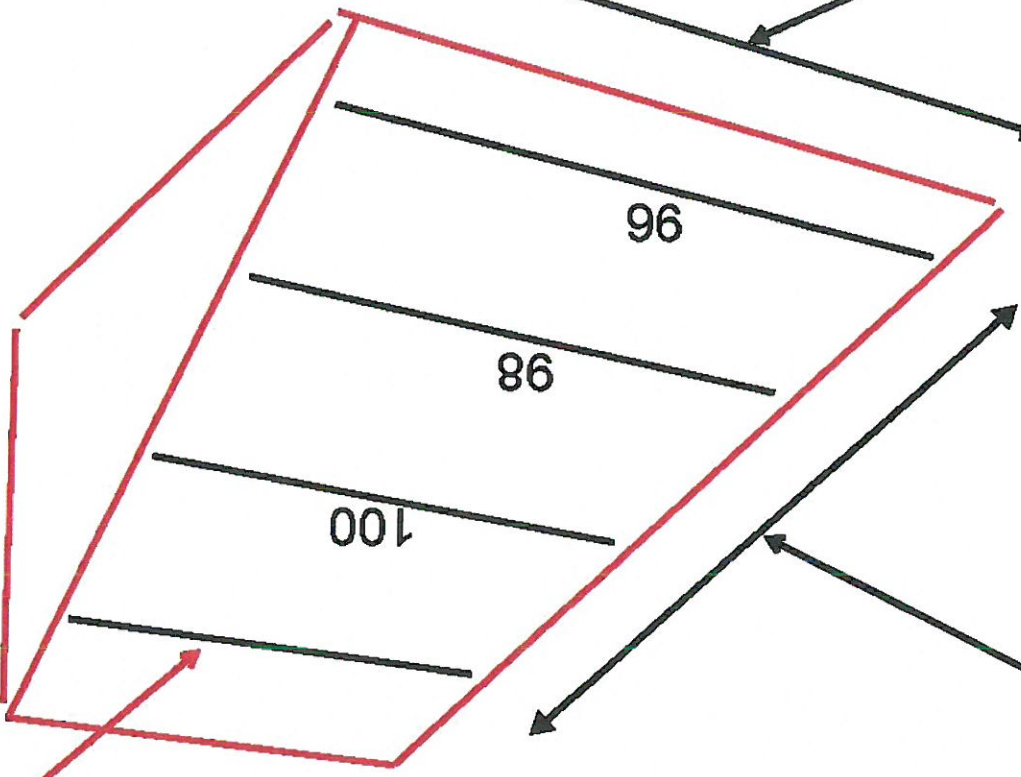
(1) Any person found violating any provision of this chapter or conditions duly imposed pursuant thereto shall, for the first offense, be guilty of a violation punishable by a fine of not less than \$500 nor more than \$1,000.

(2) For a second and each subsequent offense, such person shall be guilty of a misdemeanor punishable by a fine of not less than \$1,000 nor more than \$2,000 or a term of imprisonment of no more than six months, or both.

(3) Each offense shall be a separate and distinct offense and, in the case of a continuing offense, each day's continuance thereof shall be deemed a separate and distinct offense.

(4) The Town Attorney or Deputy Town Attorney may prosecute any person alleged to have violated the provisions of this chapter and shall seek equitable relief to restrain any violation or threatened violation of its provisions.

MEASURED  
PARALLEL TO  
CONTOURS



MEASURED  
PERPENDICULAR  
TO CONTOURS

ELEVATION  
CONTOURS

RUNOFF HAS GREATER POTENTIAL TO  
CREATE EROSION THE GREATER  
LENGTH IT TRAVELS DOWN A SLOPE  
(PERPENDICULAR TO CONTOURS)

**Marianne Vitelli**

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**From:** David Ryan  
**Sent:** Thursday, August 04, 2016 11:56 AM  
**To:** Richard Lyman  
**Cc:** Marianne Vitelli  
**Subject:** Recording System Upgrade

I respectfully request to purchase and install our new recording system for our phones and radios. This item is budgeted in the 2016 budget. The reason for the delay in the install was to wait for the upgrade to Windows 10 to be completed so that we had the most recent upgrade of our current system.

The cost is \$6,960 a year (\$580.00 per month) for 3 years. This cost includes all maintenance and any upgrades for the next 36 months.

This is budgeted for the 2016 budget so the upgrade, if approved, will carry us through September of 2019.

Thank you in advance for your consideration

David M Ryan  
Chief of Police

# Memorandum

**To:** Town Board  
**From:** Joanne Pace  
**Date:** September 8, 2016  
**Re:** Fuel Oil and Service Contract Bids

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I hereby request permission to advertise the bidding of the 2016-2017 Fuel Oil and Service Contract for the Town of Pound Ridge.

# Town of Pound Ridge

Bill Bedford, Chairman  
Phil Sears  
Betsey Miller  
Peter Senatore  
Peter Marchetti

John Loveless, Counsel



## Water Control Commission

**MEMO TO:** Members of the Town Board  
**FROM:** Karen Taft  
Water Control Commission  
**DATE:** August 22, 2016  
**SUBJECT:** Bond Release - Abresch

Kindly authorize release of the \$10,000 Water Control Commission bond #2010-20 which is being held by the Town for Tim and Susan Abresch, owners of property located at 154 Barnegat Road, Pound Ridge, NY, for construction work within the wetlands regulated area. The work has been completed in accordance with the Town of Pound Ridge and the State of New York building requirements.

Please put this matter on your earliest available Town Board agenda.

Town of Pound Ridge Town House, 179 Westchester Avenue,  
Pound Ridge, NY 10576  
914-764-5511 ~ 914-764-0102 FAX