

# The Edgemont Community Council, Inc.

Founded in 1947 to determine community opinion on civic matters and coordinate community action thereon and to plan and promote the general welfare of the community embraced within Union Free School District #6.

Post Office Box 1161

Scarsdale, New York 10583

## MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE EDGEMONT COMMUNITY COUNCIL

January 5, 2009

A meeting of the Board of Directors of the Edgemont Community Council, Inc. was held at the Edgemont High School January 5, 2009. The following officers and directors were present: Bob Bernstein, Michelle McNally, Lisa Wexler, David Stern, John Sganga, Andrea Weiss, Larry Rusoff, Todd Garvelink, John Blakley, Madelon O'Shea.

Officers and Directors not in attendance: Pamela Ray, David Younger, Chris Klerer, Karen Kelly.

Civic Associations represented: Longview (Jim Lasser), Fort Hill (Robin Schaffer), Cotswold (Stuart Seeley, Elizabeth Sherman Graif), Greenridge (Paul Weinstein), Old Edgemont (Frank Kaiman), Northern Greenville (Pam Bove), Southern Greenville (), Central Park Avenue ().

Residents in attendance: Robert Klerer, Todd Strier

Robert Bernstein presided over the meeting and Michelle McNally took minutes. The meeting was called to order at 8:10 PM.

**Minutes** – The minutes of December 1 were approved.

**Treasurer's Report:** Total assets as of 1/5/09 were \$8,653.33. Membership continues to increase.

**Resignations:** The Board accepts with regret the resignation of Pam Ray as Secretary and a director. The board unanimously passed a resolution expressing its deep appreciation to Pam for her years of service as a director and as secretary. Pam Bove agreed to serve as Secretary through June 30. Robin Schaffer resigned as a director at large to become President of the Fort Hill Association. He will continue to serve as an ECC director in that capacity.

**SBNC:** Nominations for members of the Board of Education are due by Jan. 21.

### Zoning and Planning.

**Westhab:** At the December 18 Town Board meeting, the Town Board appeared to violate procedure by voting to approve a definition of "workforce housing" that was substantially different from the definition it had noticed to the public and on which it held a public hearing on December 10. The definition on which the Town Board held a public hearing defined the income range for workforce housing as being 60%-120% of the area median income. The definition the Town Board approved defined the range as 30%-80% of the area median income. No notice of

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this change was provided to the public at the December 18 meeting. The public became aware of the change only because Bob asked for a copy of the definition the Board was voting on, and in reading it, saw that it had been changed.

Bob expressed serious concern about the Town Board's behavior and asked the ECC board how it thought we should respond. He said the Town Board's action left him with no confidence that the Town Board will act in a procedurally correct manner towards Edgemont or any other area of the town.

In addition to approving a definition for workforce housing, the town also rezoned a parcel of land purchased by Westhab to M-174, which is the greatest density for multifamily housing in the town's zoning code, and extended the 10% set aside for affordable housing to Central Avenue. The town's position on these rezones is that it does not need a comprehensive plan to rezone, and that its Open Space plan done in the late 1990's is a comprehensive plan. Based on this position, Bob posed the question of whether it made sense to continue to support a new comprehensive plan.

ECC decided to condemn the Town Board's action in violating procedure by approving a definition of "workforce housing" that was substantially different from the definition noticed to the public. The Board further decided that it would take no action regarding the comprehensive plan. A motion to approve the following resolution was made by Jim Lasser, seconded by Madelon O'Shea and adopted unanimously by the Board. The Board asked Michelle to read the resolution at the next Town Board meeting.

### **Resolution Adopted at January 5, 2009 Meeting**

Whereas, at its meeting on December 18, 2008, the Town Board had before it an amendment to the town's zoning code defining "workforce housing" as housing having a tenancy earning between 60% and 120% of the average median income for Westchester County, and permitted a floor of as low as 30% of average median income in any such apartment building only if 80% of the units in such building met the required range of 60% to 120%;

Whereas, the Town Board held a public hearing on that proposed zoning change on December 10, 2008 and proposed no changes to the "workforce housing" definition at that time;

Whereas, the Town Board at its December 18 meeting, after conclusion of public comment for the evening, and immediately prior to voting on the proposed "workforce housing" definition, substituted without prior public notice a substantially different definition of "workforce housing" to replace the one that had been the subject of the public hearing on December 10;

Whereas, the new definition defined "workforce housing" as housing having a tenancy earning between 30% and 80% of the average median income for Westchester County, and the Town Board proceeded at its December 18 meeting to adopt such new definition, without any public hearing, despite objections from those present;

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Now therefore be it resolved:

1. The Edgemont Community Council condemns the Town Board's failure at its December 18 meeting to give notice of the substantive changes it made to the definition of "workforce housing" being added to the zoning code and to hold a new public hearing on that new definition.
2. Such disregard of legal procedure and the rights of residents to be heard can only lead to a lack of public confidence in what the Town Board does, among other things, in constructing and implementing a comprehensive plan.
3. The Edgemont Community Council demands that within thirty days (February 17) the Town Board rescind the action taken in adopting that zoning change on December 18 and re-notice the workforce housing proposal for a new hearing.

Madelon expressed concerns about the Westhab development. She explained that a studio apartment could hold two to three people, and that a one-bedroom apartment could hold up to four people. She noted that the town has identified three properties in Edgemont suitable for development. She said that one of the properties is substandard. In response to Edgemont's concerns, Madelon explained that the Town Board constantly says Edgemont doesn't want anything.

**Comprehensive Plan:** Madelon said that the Town is going to pay the remaining cost for the comprehensive plan by increasing project fees and by creating a business tax.

**Gran Café:** will be located on Central Avenue (near Gennaro's) in what previously was the site of an insurance business. The café is seeking an incidental-dining permit, which should be approved shortly.

**151 Longview Drive:** Jan. 7 - Continuation of a public hearing for a subdivision to create three lots. A house currently exists on one of the proposed lots. Neighboring residents are concerned about drainage and have asked that the subdivision be limited to two lots. Michelle expects that the Planning Board will approve three lots.

## **Town Affairs**

**2009 budget:** the tax hike for 2009 was finalized at 7.8%. The town restored \$100K in police overtime. The town is interviewing candidates for the Police Chief position because Chief Kapica will be retiring this year.

**Fund Balance:** After last year's 21% tax increase, the town passed a fund balance policy that prohibited it from using the fund balance to fund operating expenses. It violated that policy with this year's budget by taking down \$5.1mm from it's A and B fund balances. The town's fund balance policy contains a provision allowing the town to access funds in an emergency. After members of the public protested the use of the fund balance to artificially reduce taxes, the town

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declared a fiscal emergency and included the funds in the 2009 budget. The town is supposed to have a plan for replacing, within five years, the funds it draws down. No such plan has been proposed.

**2010 budget:** For 2010, the town's Comptroller projects that a 3% increase in unincorporated expenses will produce an 11.2% tax increase. Despite this, Feiner has said there will be no double-digit tax increases. However, it is not clear how much money from the A or B fund balances will be available next year to reduce anticipated property tax hikes.

**Westhelp Funds:** The Valhalla School District is again seeking Westhelp funds. The contract with Westhelp is up for renegotiation in 2011. The Valhalla School District and Mayfair Knollwood residents would like something worked out so that money can be distributed from the current and any future contract.

**Curbside Garbage Pickup:** Residents are upset about the town's lack of notice that garbage would now be picked-up at curbside. Residents are asking what will be done with the small trucks that were used for long and/or narrow driveways? Many older residents have contacted Feiner.

**Community Center Camp Fees:** There have been calls from residents to eliminate duplicate camps at the Community Center and Veteran Park and to have one set of fees. The Community Center has said their kids would not be able to afford higher fees. The town is proposing to impose fees for the camps at the Community Center, but waive them for people who say they can't afford to pay them.

**Taxter Ridge Court of Appeals argument:** The case will be argued on January 13. The Court generally decides a case 30-45 days after argument.

**New Business:** This year's nominating committee will be chaired by Lisa Wexler. Jim Lasser volunteered to serve. Michelle McNally also offered to help.

The meeting was adjourned at 10PM.

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