

MINUTES OF THE OCTOBER 4, 2012 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 AND ALI BOAK

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:**

**ANNOUNCEMENTS:**

- Supervisor Warshauer mentioned that Dick and Joan Major will be leaving Pound Ridge and there will be a farewell reception this weekend on Saturday, October 6<sup>th</sup> at 4:00 p.m. at the Town House. All are invited to attend.
- **Board Action:** Motion by Councilwoman Boak, seconded by Councilman Lyman, all voting aye to authorize Supervisor Warshauer to prepare a proclamation honoring Dick Major.
- **Board Action:** Motion by Councilman Lyman, seconded by Councilwoman Boak, all voting aye to cancel the Town Board meeting on Thursday, October 11, 2012.
- The Supervisor's Forum will be held on Saturday, October 13, 2012 at 10:00 a.m. at the Town House and the topic will be senior issues.

**MINUTES: Acknowledge/correct/accept minutes of the Town Board Executive Session held on August 22, 2012, the Town Board meeting held on September 6, 2012 and Town Board Work Session and Executive Session held on September 19<sup>th</sup>.**

**RESOLUTION #: 182 -12**

**Board Action:** Motion by Councilman Lyman, seconded by Councilwoman Boak, all voting aye on the following:

RESOLVED, that the Town Board hereby accepts the minutes of the Executive Session held on August 22, 2012, the Town Board meeting held on September 6, 2012 and Town Board Work Session held on September 19, 2012.

The Town Board will approve the Executive Session at the next Town Board meeting.

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**NEW BUSINESS:**

- **Theatre Group-fall schedule and introducing new President**

The Pound Ridge Theatre Group introduced their new President, Ted Burtt and he briefly went over their fall schedule. Two new shows this fall will be “Love, Loss, and What I Wore” and “Doubt”. They are working on continuing the children’s workshop and plan to initiate more for the Town.

- **Pound Ridge Business Association-requesting permission to install a banner across Westchester Avenue October 16<sup>th</sup> for “Pound Ridge Fine Arts Festival” to be held October 27<sup>th</sup> and 28<sup>th</sup>**

**RESOLUTION #: 183-12**

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

RESOLVED, that the Town Board hereby authorizes the Pound Ridge Business Association to install a banner across Westchester Avenue October 16, 2012 for “Pound Ridge Fine Arts Festival” to be held October 27<sup>th</sup> and 28, 2012.

- **Antiques & Tools of Business & Kitchen– Application for Special Event Permit Antiques Markets and Farmer’s Market for 2013**

Joan Silbersher, Antiques Tools of Business & Kitchen, has submitted an application for Special Event Permit 2013 to the Town Board for her 2<sup>nd</sup> Sunday Antiques and Farmers Market Event. Everything is the same as it has been in the past except she is requesting 8 vendors for the Farmers Market instead of the 6 that she currently has.

Councilman Lyman suggested revising Section 14 of the Special Event Permit to include the vendors must comply with the Bureau of Weights and Measures. The Town Board also requested that a specific layout of the vendors be available so that there is adequate access for emergency vehicles.

**RESOLUTION #: 184-12**

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

RESOLVED, that the Town Board hereby approves the following dates for the Special Events Permit Schedule 2013 for the 2<sup>nd</sup> Sunday Antiques Markets from 11:00 a.m. to 4 p.m. on April 14, May 12, June 9, July 14, August 11, September 8, October 13, November 11, and December 8, 2013, and January 1, 2013 and

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2014 and the Farmer's Market every Sunday from 11:00 a.m. to 4:00 p.m. April through November, 2013. The Town Board also approves increasing the number of vendors at the Farmers Market to eight (8) subject to review by Chief Ryan and acknowledging the addition to Section 14 of the Special Event Permit complying with the Bureau of Weights and Measures.

- **Grants for Landt Lane Fire Pond and Traffic calming measures in Scotts Corners**

The Town Board identified two areas for grant requests and spoke with both Senator Ball and Assemblyman Castelli about this request. They both felt the Town would be eligible for the grants. The first request is for a \$175,000 grant for the fire department water supply restoration project at Landt Lane. It included restoration and dredging of an existing pond to unclog silted-up dry hydrants that provide critical water supply for the fire department.

**RESOLUTION #: 185-12**

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

RESOLVED, that the Town Board hereby authorizes Supervisor Warshauer to execute a letter to Senator Ball for assistance with the grant for the Landt Lane Fire Department pond project.

During the same meeting with Senator Ball and Assemblyman Castelli, the Town Board talked about getting funds for traffic calming measures in Scotts Corners. They would start in Phase I with temporary measures and advance to Phase II with permanent measures. Estimated funds requested would be \$35,000 for Phase I and \$75,000 for Phase II. Discussion took place with the audience consisting of neighbors, Business Association members, Pound Ridge Partnership members and moms concerned about safety of their children. Councilman Paschkes suggested putting together a committee to include a member from each group represented and have them make suggestions for safety measures in Scotts Corners before we actually send the request letter to Senator Ball for the grant. Louis Fusco, resident and architect, brought in suggested drawings of changes that can be made to Westchester Avenue to help slow down traffic. His ideas and the costs can be exchanged at the committee meeting prior to the Town Board's Work Session on Wednesday, October 24, 2012 at 8:00 a.m. The Town Board decided to appoint the following as members of the committee for Safety Calming Measures in Scotts Corners: Dick Lyman, Chair, Chief David Ryan, Highway Superintendent Vinnie Duffield, Peter Clough, Louis Fusco, Jim Best, Fred Albano and Billy Fortin.

A resident mom spoke up regarding the crosswalk near DiNardo's saying it is unsafe and there is a blind spot for drivers. She suggested getting rid of one parking spot and Councilman Lyman suggested putting a bike rack in that spot, not to lose the spot. The Town Board agreed and they will work on that suggestion.

**RESOLUTION #: 186-12**

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

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RESOLVED, that the Town Board hereby authorizes Supervisor Warshauer to execute a letter to Senator Ball for assistance with the grant for Traffic Calming Measures in Scotts Corners subject to tweaking by the newly formed committee. The moneys would be requested in two Phases.

- **Town Clerk – Sale of Cemetery Plots**

**RESOLUTION #: 187-12**

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

RESOLVED, that the Supervisor be and is hereby authorized to sell Town Cemetery Plot #174 and 215, Section 3 (4 gravesites) to Clyde and Catherine Davis in the amount of \$4000.00.

- **Town Clerk-requesting approval to award bid to Fuel Co.**

**RESOLUTION #: 188-12**

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

WHEREAS, the Town Clerk's office received three bid packages for #2 heating oil and/or diesel fuel product and service contracts which were opened on Tuesday, October 2, 20-12 by Town Clerk Joanne Pace and Deputy Town Clerk Carole Wollenweber, And,

WHEREAS, Marshall Oil will deliver #2 fuel for all facilities at twelve (+.12) cents per gallon above the low New York Harbor Barge Reseller's price. They enclosed a copy of their service contract, the bid for which is one hundred twenty dollars (\$120.00) per unit for service and oil burner parts and seventy dollars (\$70.00) for oil fired water heater, AND

WHEREAS, Robison Oil will deliver #2 fuel for all facilities at twenty-two (+.22) cents per gallon above the low New York Harbor Barge Reseller's price. They enclosed a copy of their service contract, and will provide a service contract at a cost of \$295.00 per burner, AND

WHEREAS, Burke Heat will deliver #2 fuel for all facilities at twenty-five (+.25) cents per gallon above the low New York Harbor Barge Reseller's price. They did not enclose or give a service contract price for the facilities, AND BE IT

RESOLVED, that the Town Board hereby awards the bid to Marshall Oil Company to supply the Town with No.2 Fuel Oil and the service contract because overall, they are the lowest bidder.

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- **Assessor-requesting authorization of refund for Certiorari Settlement**

**RESOLUTION #: 189 -12**

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

RESOLVED, that the Town Board hereby authorizes the following refund by Certiorari Settlement per Supreme Court, State of New York, County of Westchester orders:

<u>Assmt Yr</u>	<u>Tax Yr</u>	<u>Tax Rate</u>	<u>Amt. to be Refunded</u>
2010	2011	12.3101	\$4,924.04
2011	2012	12.8692	\$5,147.68
2012	2013	Not yet established	

- **Consider request by A-Home Community Enterprises to support septic solutions for affordable housing**

A-Home Community Enterprises (A.C.E.) is looking for a letter of support for a grant they are seeking to fund, study, select and pilot the decentralized sewer/septic systems for a site in northern Westchester.

**RESOLUTION #: 190-12**

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

RESOLVED, that the Town Board hereby authorizes Supervisor Warshauer to sign a letter of support for a grant the Westchester Community Foundation are seeking to fund, study, select and pilot the decentralized sewer/septic systems for a site in northern Westchester.

- **Pound Ridge Garden Club-requesting permission to borrow 40 folding chairs for the annual Thanksgiving workshop & luncheon**

**RESOLUTION #: 191 -12**

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

RESOLVED, that the Town Board hereby authorizes the Pound Ridge Garden Club to borrow 40 folding chairs for their annual Thanksgiving workshop and

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luncheon to be held on November 13, 2012. They have submitted a Hold Harmless and Indemnification Agreement.

- **Planning Board-requesting approval for Whelan Storm Water Control Maintenance Agreement**

A storm water control facility maintenance agreement was drafted between the Town of Pound Ridge and Theresa and Cabal Whelan for the long term maintenance of property at 6 Highview Road, Pound Ridge, NY. The property owners are requesting an easement on Town right of way and will provide long term maintenance and continuation of storm water control measures including design, infrastructure and systems related thereto. This has been approved by the Planning Board at its September 27, 2012 Planning Board meeting.

**RESOLUTION #: 192-12**

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

RESOLVED, that the Town Board hereby approves of the storm water control facility maintenance agreement and easement between the Town of Pound Ridge and Theresa and Cabal Whelan for the long term maintenance of property at 6 Highview Road, Pound Ridge, NY 10576.

**FINANCIAL MATTERS**

- **Recreation Department-requests authorization for refund deposit on cancellation**

**RESOLUTION #: 193-12**

**Board Action:** Motion by Councilman Falco, seconded by Councilwoman Boak, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the following refund:

Jamie Wolff 193 Salem Road Pound Ridge, NY 10576	\$95.00 from A2001	Withdrawal of child from flag football due to age limitation
Denise Wade 25 Trinity Lane Pound Ridge, NY 10576	\$76.00 from A7620	Refund for trip not able to attend
Ann Kearns 125 Brook Farm Rd E	\$76.00 from A7620	Refund for trip not able to attend

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Bedford, NY 10506

- **Monthly Reports**

The monthly reports have been received from the various departments and are on file with the Town Clerk's office.

- **Pay Bills**

**RESOLUTION #: 194 -12**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilman Lyman, Board polled, motion passing 4-0 with Councilwoman Boak abstaining, to authorize payment of bills subject to providing attachment/resolution for one claim in question,

WHEREAS, Councilwoman Boak 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:

<b>GENERAL FUND</b>	<b>G</b>		<b>\$111,309.66</b>
<b>HIGHWAY FUND</b>	<b>D</b>		<b>\$ 49,763.08</b>
<b>PARKING DISTRICT</b>	<b>ST</b>		<b>\$ 262.83</b>
<b>TRUST AND AGENCY</b>	<b>T</b>		<b>\$ 95,018.28</b>
<b>CAPITAL</b>	<b>H</b>		<b>\$ 10,210.69</b>

**ADJOURNMENT:** There being no further business to come before the Board, the meeting was adjourned at 10:00 p.m.

Joanne Pace  
Dated at Pound Ridge, New York  
October 5, 2012