

MINUTES OF THE AUGUST 02, 2012 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE HELD AT 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 ALISON BOAK

ALSO PRESENT: TOWN ATTORNEY, JAMES J. SULLIVAN, ESQ.
TOWN CLERK, JOANNE PACE

CALL TO ORDER: Supervisor Warshauer called the meeting to order at 8:00 p.m.

CALL FOR EXECUTIVE SESSION: None

ANNOUNCEMENTS: None

MINUTES: Acknowledge/Correct/Accept minutes of July 12, 2012 regular meeting of the Town Board and Work Session minutes of July 25, 2012.

RESOLUTION #: 152-12

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

RESOLVED, that the Town Board hereby acknowledge/correct/accept minutes of July 12, 2012 regular meeting of the Town Board and Work Session minutes of July 25, 2012.

NEW BUSINESS:

- **Pound Ridge Fire District-requesting to use Highway garage property for training purposes on August 20 and 27th**

The Board of Commissioners of the Fire Department is requesting permission to use the Highway Garage property for the purpose of training on August 20 and 27, 2012. Councilman Paschkes asked if the Town should have a certificate of insurance from the Fire District for using our facilities. Counsel Sullivan explained that the Town's insurance covers this.

RESOLUTION #: 153-12

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

RESOLVED, that the Town Board hereby grants permission to the Board of Commissioners of the Fire Department to use the Highway Garage property for the purpose of training on August 20th and August 27, 2012 subject to confirmation that the Fire Department has the appropriate insurance coverage to protect the Town for this activity.

- **Assessor-requesting authorization to attend annual Assessment Administration Seminar**

RESOLUTION #: 154-12

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

RESOLVED, that the Town Board hereby authorizes Carole Long, Assessor, to attend the annual NYS Assessors' Association conference in Lake Placid, NY on September 30 to October 3, 2012. Expenses for lodging, meals, tuition and travel are not to exceed \$1,200, the majority of which is reimbursable by NYS Office of Real Property Tax Services.

- **Pool Repairs & Resurfacing-consider approval of Consulting Engineers Agreement**

The Town Board received a proposal from Maurice Wrangell, ASLA for the resurfacing of the three Town Pools. This will be done in two phases. The first phase will include the repairs to be done in the winter months. The extent of the repairs is not known until the top section where the steel meets the concrete is taken off. There will be replacement of existing white plaster finish with new, repair/replacement of defective tile work and possible repairs and restoration of selected pool joints. Phase two will be the actual resurfacing of the pools. Under the agreement, there is a paragraph that has "additional services" provided as requested charged at \$210.00 per hour in addition to the fixed fee of \$15,000 in proposal. The agreement has been reviewed by John Ritzcovan, Chair of Recreation Commission, and the Commission recommends signing the agreement.

Supervisor Warshauer had two things to clarify on this agreement:

- 1) The bidding is done in such a way that the bids come back with each of the pools being resurfaced separately. The Town Board would have the option to accept doing 1 or 2 pools the first year and the 3rd pool being done the next year. The bids would be submitted on an individual pool basis like unit pricing so the Town would have the option of resurfacing 1, 2 or 3 pools. Mr. Wrangell said that this could be done without additional cost to the Town.
- 2) Mr. Wrangell limits the number of inspections during construction to 4 and Supervisor Warshauer felt that the number of inspections should be increased. The maintenance portion of the project will be done in the fall and the actual resurfacing would be done in the spring.

Counsel Sullivan said that because the Building Department doesn't get involved in the project, he would suggest getting six (6) inspections because there won't be any other professional back up with this project. The inspections are basically progress reports versus quality of work reports. There may be a need for a construction supervisor to oversee that the job is being done according to the contract. Before the bids go out to the contractors, the Town Board will review the package assuring the job is done right.

RESOLUTION #: 155-12

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

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the Pool House Consultant Engineer Agreement with the additional items to be clarified inserted as discussed and subject to Town Attorney's review.

- **Town House well – consider approval of Consulting Engineers Agreement**

Councilman Lyman disclosed that Kellard Session Consulting, P.C. does work for his boss at the Pound Ridge Golf Club. He explained that the Town House requires a water treatment facility for the existing water supply pursuant to a letter from the Westchester County Department of Health, dated December 8, 2011. This determination was made based on the supply wells location in relationship to the pond behind the Town House. Kellard Sessions Consulting, P.C. has given the Town Board a proposal to provide professional engineering services regarding the design and permitting of such a facility. The Health Department outlined three (3) options to follow, two (2) include lengthy and extensive testing while the third is the acceptance of the determination and the installation of a treatment facility. The Town has decided to install the required treatment system which will include a chlorination feed, retention tanks, filters, ultra-violet light and a new pressure tank. The design phase will be \$7,500; the permitting will cost \$2,500 and the construction phase will be \$3,000 totaling \$13,000.00. This does not include the cost of equipment.

RESOLUTION #: 156 -12

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

RESLOLVED, that the Town Board hereby authorizes Supervisor Warshauer to sign and execute the Consulting Engineers Agreement subject to Counsel's review, to provide professional engineering services regarding the design and permitting of a water treatment facility for the Town House at 179 Westchester Avenue, Pound Ridge, NY 10576 in the amount of \$13,000. This will be taken from Building Maintenance Fund that has been set aside.

DEC – Settlement on Consent Order with MS-4

RESOLUTION #: 157-12

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

RESOLVED, that the Town Board hereby authorizes Supervisor Warshauer to sign the consent order that has been negotiated and authorize Supervisor Warshauer to have a check cut in the amount of \$12,000 to send to the Department of Environmental Conservation (DEC) and also authorize Councilman Richard Lyman to certify that the required procedures are completed and in compliance with the Consent Order.

FINANCIAL MATTERS:

Recreation Department – request authorization for refunds

RESOLUTION #: 158-12

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

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

Christina Brent PO Box 326 Pound Ridge, NY 10576	\$366.65 from A2001	Withdrawal of child from Day Camp
Dean Zarras 12 Old Logging Road Pound Ridge, NY 10576	\$400.00 from A2410	Cancellation of Conant Hall rental due to death in family
Dean Zarras 12 Old Logging Road Pound Ridge, NY 10576	\$400.00 from T-30	Refund of Conant Hall deposit

Tax Receiver- requests authorization to refund 2012 Tax Certiorari

RESOLUTION #: 159 -12

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

RESOLVED, that the Town Board hereby authorizes refunds to the following residents per Supreme Court, State of New York, County of Westchester orders:

2012 Tax Certiorari

9817-41.9-6 Chambers

<u>Tax Year</u>	<u>Orig. Town Tax</u>	<u>Court Ordered</u>	<u>Difference</u>	<u>Interest</u>	<u>Total</u>
2004	\$3,362.9145	\$3,008.9235	\$353.9910	\$ 41.92	\$395.9110
2005	\$3,392.1840	\$3,035.1120	\$357.0720	\$ 74.51	\$431.5820
2006	\$3,391.9845	\$3,034.9335	\$357.0510	\$102.21	\$459.2610
2007	\$3,393.1815	\$3,036.0045	\$357.1770	\$133.80	\$490.9770
2008	\$3,393.8085	\$3,036.5655	\$357.2430	\$ 21.16	\$378.4030
2009	\$3,454.0860	\$3,090.4980	\$363.5880	\$ 58.51	\$422.0980
2010	\$3,540.0420	\$3,167.4060	\$372.6360	\$113.55	\$486.1860
2011	\$3,508.3785	\$3,139.0755	\$369.3030	\$220.33	\$589.6330

9817-21 Leidel

<u>Tax Year</u>	<u>Orig. Town Tax</u>	<u>Court Ordered</u>	<u>Difference</u>	<u>Interest</u>	<u>Total</u>
2006	\$2,368.4383	\$1,948.9034	\$419.5350	0	\$419.5350
2007	\$2,369.2741	\$2035.9089	\$333.3652	\$ 50.02	\$383.3852
2008	\$2,369.7119	\$2,083.9175	\$285.7944	0	\$285.7944
2009	\$2,411.8004	\$2,120.9300	\$290.8714	\$ 18.75	\$309.6214
2010	\$2,471.8188	\$2,235.8160	\$236.0028	0	\$236.0028
2011**					

9816-50 Pound Ridge Holdings, LLC

<u>Tax Year</u>	<u>Orig. Town Tax</u>	<u>Court Ordered</u>	<u>Difference</u>	<u>Interest</u>	<u>Total</u>
2008	\$4,941.8615	\$3,453.3490	\$1,488.5125	\$3603.83	\$5092.3425
2009	\$5,029.6340	\$3,514.6840	\$1,514.9500	\$1715.28	\$3,230.2300

Assessor – requests transfer of funds to purchase a new file cabinet

RESOLUTION #: 160 -12

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

RESOLVED, that the Town Board hereby authorizes Carole Long, Assessor, to purchase a file cabinet in the amount of \$414.19 and authorizes the transfer of \$414.19 from Contingency A1990.400 to A1355.400.

Planning Board – requests authorization to pay Pace U. School of Law for a training session on September 19, 2012

The Planning Board will host a Land Use In-House Training Session conducted by Prof. John Nolon, Pace U. School of Law, on Wed., Sept. 19th from 12:00 noon to 4:00 p.m. here at the Town House. This program satisfies the 4-hr. training program requirement for Planning Board and Zoning Board members, as well as providing valuable information for all Board members as well. John is extremely knowledgeable and is open to answering any questions you may have.

RESOLUTION #: 161 -12

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

RESOVLED, that the Town Board hereby authorizes the payment of two thousand dollars (\$2,000) for the Land Use In-House Training Session conducted by Prof. John Nolon, Pace U. School of Law, on Wed., Sept. 19th from 12:00 noon to 4:00 p.m. here at the Town House. The payment will be made out of the Boards and Commissions budget.

Receipt of Monthly Departmental Reports

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

Pay Bills

RESOLUTION #: 162-12

Board Action: Motion by Councilman Lyman, seconded by Councilman Paschkes, Board polled, motion passing 4-0 with Councilwoman Boak abstaining, to authorize payment of bills:

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:

GENERAL FUND	G		\$146,603.05
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HIGHWAY FUND	D		\$ 30,375.39
PARKING DISTRICT	ST		\$ 70.00
TRUST AND AGENCY	T		\$ 80,449.90
CAPITAL	H		\$ 9,118.67

ADJOURNMENT: There being no further business to come before the Board, Supervisor Warshauer adjourned the regular meeting at 8:45 p.m.

Joanne Pace
Dated at Pound Ridge, New York
August 3, 2012