

MINUTES OF THE JULY 11, 2019 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 KEVIN HANSAN; COUNCIL MEMBERS: DANIEL PASCHKES, JODY SULLIVAN, DAVID DOW AND DIANE BRIGGS

ALSO PRESENT: TOWN CLERK, JOANNE PACE
DEPUTY TOWN ATTORNEY, JOHN LOVELESS
DEPUTY SUPERVISOR, ALISON BOAK

ABSENT: TOWN ATTORNEY, WILLIAM P. HARRINGTON

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilwoman Sullivan, seconded by Councilman Paschkes, all voting aye to hold an Executive Session on Thursday, August 8, 2019 at 7:00 p.m. for a personnel matter.

ANNOUNCEMENTS:

- Supervisor Hansan announced that there will be one Town Board meeting in August on August 8, 2019.
- Supervisor Hansan announced that the Town Board held a Special Town Board meeting on 6/27/19 to award the TEP bid to Con-Tech Construction Technology, Inc. and the Town received an approval letter from NYSDOT allowing us to move forward on the project. There is a pre-construction meeting on Wednesday, July 17, 2019 at 10:00 a.m. with the TEP Committee and NYSDOT.
- U.S. Representative Sean Patrick Maloney will be at the Pound Ridge Town House on Sunday, July 14th from 12:30-1:30 p.m. for a townhall-style event “Speak with Sean”. All are invited to attend.
- The Recreation Department is holding “Movies in the Park” July 24th and August 7th and “Concerts in the Park” July 14, July 21, July 28 and August 4th.
- There will be a Pound Ridge Day at Playland Park in Rye, NY on Wednesday, August 14th. Pound Ridge residents will receive certain discounts for the day.
- Supervisor Hansan thanked the Neighbor-to-Neighbor group for delivering flowers to our Town seniors.
- Supervisor Hansan announced that a portion of Long Ridge Road in Stamford, CT will be closed from 7/24-8/21 and someone was reaching out via social media to detour vehicles to Upper Shad Road, Pound Ridge, NY to cross over to High Ridge Road. This is unacceptable and potentially dangerous especially for commercial vehicles, so Supervisor Hansan is working with Supervisor Burdick of Bedford and Chief David Ryan to work out a safe routing and eliminate commercial vehicles from using Upper Shad Road.
- Food Truck Friday will be July 19th.

MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting held on June 13, 2019

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman Briggs, to accept the minutes of the Town Board Meeting held on June 13, 2019 and the minutes of the Special Town Board meeting held on Thursday, June 27, 2019.

OLD BUSINESS: Pursuant to Special Town Board meeting 6/17/19 ratify payment of bills

PAY BILLS:

RESOLUTION #: 128 -19

Board Action: Motion by Councilman Paschkes, seconded by Councilman Dow, Board polled and motion passing 3-0 with Councilwoman Briggs abstaining on the following:

WHEREAS, Councilwoman Briggs has audited the 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		\$112,207.16
HIGHWAY FUND	D		\$223,615.02
TRUST AND AGENCY	T		\$ 27,516.71
CAPITAL	H		\$0

RESOLUTION #: 129-19

Board Action: Motion by Councilwoman Sullivan, seconded by Councilman Dow, motion carried 3-0 with Councilman Briggs abstaining on the following:

WHEREAS, Councilwoman Briggs 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:

PARKING DISTRICT	ST		\$722.32
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NEW BUSINESS:

- **Court Clerk- authorization to attend annual conference**

RESOLUTION #: 130 -19

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman Briggs, Board polled and Councilman Paschkes abstaining on the following:

RESOLVED, that the Town Board hereby authorizes Sonia Mercado-Jimenez, Court Clerk, to attend the New York State Association of Magistrates Annual Conference in East Syracuse, NY from September 29th-October 2, 2019. Estimate cost including hotel accommodations, tolls, air fare, meals and registration is \$1,130.00. This has been budgeted.

-Accept resignation of Assistant Court Clerk

RESOLUTION #: 131-19

Board Action: Motion by Councilwoman Briggs, seconded by Councilwoman Sullivan, Board polled and Councilman Paschkes abstaining on the following:

RESOLVED, that the Town Board hereby accepts the resignation of Lavina Paschkes, Assistant Court Clerk, effective August 23, 2019. The Town Board thanked her for her service to the Town.

-Approval to submit a funding application for Justice Court Assistance Program

Court Clerk Sonia Mercado-Jimenez is seeking approval to submit a funding application for Justice Court Assistance Program to provide suitable and sufficient services to respective communities. It can include automation of court operations; provision of appropriate means for the recording of court proceedings; provision of law books, treatises and related materials; provision of appropriate training for justices and for nonjudicial court staff; and the improvement or expansion of court facilities. Judge Clair would like to use the funds for improvement and expansion of the Town Court.

RESOLUTION #: 132-19

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman Briggs, Board polled and Councilman Paschkes abstaining on the following:

RESOLVED, that the Town Board hereby authorizes Court Clerk Sonia Mercado-Jimenez to apply for the funding for Justice Court Assistance Program. Upon approval of application for funding, the disbursement of funds sought in the application not exceeding \$30,000, shall specify the purpose or purposes to which such funds may be applied.

- **Friends of Pound Ridge- approval for Special Use Permit Application**

The Friends of Pound Ridge would like to host a fundraiser drive-in movie night on the property of The Market at Pound Ridge Square along with a tailgate BBQ and entertainment for the kids including a dunk tank and bouncy house. They submitted a Special Use Permit application for the event.

RESOLUTION #: 133 -19

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

RESOLVED, that the Town Board hereby approves of the Special Use Permit application from Friends of Pound Ridge to host a fundraiser drive-in movie night on the property of The Market at Pound Ridge Square along with a tailgate BBQ and entertainment for the kids including a dunk tank and bouncy house on Saturday, September 7, 2019 from 5:00-11:00 p.m. Rain date approval is for Saturday, September 21, 2019.

- **Planning Board- approval for AT&T Special Use Permit for Adams Lane**

At the June 27, 2019 Planning Board meeting, the Board members unanimously approved the application for AT&T, on behalf of American Tower, to replace three existing panel antennas and add three new panel antennas and six radio heads to the existing cell tower located at 29 Adams Lane, as well as updating the existing equipment cabinets. They recommend to the Town Board that the Special Use Permit for this project be approved.

RESOLUTION #: 134-19

Board Action: Motion by Councilwoman Briggs, seconded by Councilwoman Sullivan, all voting aye on the following:

RESOLVED, that the Town Board hereby approves the amended Special Use Permit application from AT&T, on behalf of American Tower, to replace three existing panel antennas and add three new panel antennas and six radio heads to the existing cell tower located at 29 Adams Lane, as well as updating the existing equipment cabinets per recommendation by the Planning Board.

- **Supervisor – approval to submit a funding application through Northern Westchester Consortium for Municipal Separate Storm Sewer Systems (MS4) Mapping**
- The Town of Pound Ridge has elected to re-join the consortium of 11 municipalities involved in the Northern Westchester Consortium for Municipal Separate Storm Sewer Systems (MS4) Mapping with updated value of MS4 mapping. The MS4 mapping is a NYSDEC requirement for all municipalities to comply with in New York State. Pound Ridge would receive 5.8% of the \$500K grant with a value of \$28,807. A sample resolution was received from the engineering department in the Town of Yorktown:

WHEREAS:

- A. The New York State Department of Environmental Conservation recently announced a new funding round for the Water Quality Improvement Program, Round 16, which allocates \$70 million to qualified applicants. Applications must be submitted by the project deadline of July 26, 2019.
- B. The Town of Yorktown, through the Northern Westchester WQIP Consortium, will be submitting an application for Municipal Separate Storm Sewer Systems (MS4) Mapping. The Consortium is being planned to offer a coordinated and comprehensive approach to stormwater mapping within the municipalities of Northern Westchester County, and is anticipated to include the Towns of Bedford, Cortlandt, Lewisboro, New Castle, North Castle, North Salem, Somers, Yorktown and the Villages of Buchanan and Croton-on-Hudson.
- C. The Town of Yorktown will act as the lead applicant for this grant application.
- D. The proposed project, which meets all the eligibility requirements of the grant program, would fund the following tasks for participating Consortium municipalities:
 - Conduct basic mapping of infrastructure (NYSDEC terms this effort Basic Elements Map)
 - Identify stormwater management practices and priority areas and other

- features (Intermediate Elements Map)
 - Advanced development of stormwater mapping with attributes, flow direction and storm sewer boundaries (Advanced Elements Map)
- E. The Consortium is applying for the maximum award amount of \$500,000; any grant proceeds will be divided based on the percentage of road miles in each individual community versus the total in the Consortium.
- F. The grant requires a 25 percent community match, which can be satisfied with in-kind labor by the Town work force to field verify stormwater structures to be included in the mapping data set.
- G. The goal of the application is to leverage individual resources at the town and village level to benefit and share resources across all of the participating municipalities. There are many environmental sensitive areas in our communities, including NYC watershed areas and other critical and impaired waterbodies. A grant award would enable us create and refine comprehensive GIS mapping layers of the Northern Westchester drainage area and continue to meet NYSDEC regulatory requirements for stormwater reporting.
- H. Program guidelines require the Town to pass a resolution authorizing participation in the grant application as one of the ten (10) participating municipalities of the Northern Westchester WQIP Consortium for MS4 Mapping.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town to participate in the Northern Westchester WQIP Consortium and submit a grant application under the New York State Water Quality Improvement Program, Round 16 for MS4 Mapping.

RESOLUTION #: 135-19

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

RESOLVED, that the Town Board hereby agrees to join the Northern Westchester WQIP Consortium for MS4 Mapping and accept the 5.8% of the \$500K grant amounting to \$28,807 with a 25 % community match, which can be satisfied with in-kind labor by the Town work force to field verify stormwater structures to be included in the mapping data set.

- **Town Clerk – NYS Retirement Resolution for Standard Work Day**

RESOLUTION #: 136 -19

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman Briggs, the Board polled and motion passed on the following:

RESOLVED, that the Town of Pound Ridge/Location code 30004 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

WHEREAS, recent amendments to the Regulations of the New York State Comptroller require the adoption of a “standard work day” by each municipality and imposes additional reporting requirements for elected and appointed officials for membership and service credit in New York State and Local Retirement System,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Pound Ridge hereby establishes the following as the standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based upon the record of activities maintained and submitted by these officials to the Town Clerk of this body:

Title	Name			Standard Work Day	Term begins/ends	Participates in Employer's Time Keeping System	Days p Month
Elected Officials							
Town Supervisor	Kevin Hansan			6	1/1/18-12/31/21	Y	20
Town Clerk	Joanne Pace			7	1/1/16-12/31/19	Y	20
Receiver of Taxes	Deborah Damascus			7	1/1/18-12/31/21	Y	20
Town Justice	Ira Clair			6	1/1/18-12/31/21	N	3.37
Board Member	Daniel Paschkes			6	1/1/18-12/31/21	N	6.6
Board Member	David Dow			6	1/1/16-12/31/19	N	2.60
Appointed Officials							
Deputy Supervisor	Alison Boak			6	1/1/19-12/31/19	N	18.37
Confidential Secretary	Nicole Engel			7	1/1/19-12/31/19	Y	20

MINUTES OF THE MEETING OF THE TOWN BOARD
 TOWN OF POUND RIDGE
 POUND RIDGE, NY
 July 11, 2019

Town Attorney	William Harrington			6	1/1/19-12/31/19	N	11.20
Deputy Town Attorney	John Loveless			6	1/1/19-12/31/19	N	1.0
Director of Finance	Steve Conti			7	1/1/19-12/31/19	Y	20

On this 11th day of July 2019

I, Joanne Pace, clerk of the governing board of the Town of Pound Ridge of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held of the 11th day of July 2019 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consist of 5 members and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

- **Water Control Commission – approval for bond releases**

RESOLUTION #: 137 -19

Board Action: Motion by Councilman Dow, seconded by Councilwoman Briggs, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the release of bond #: 2000-18 in the amount of \$1,000 to Pete Marchetti (Marchetti Consulting), 25 High Ridge Road, Pound Ridge, NY 10576 for construction of living room and garage within 150’ wetland regulated area. The works had been completed in accordance with the Code of the Town of Pound Ridge and the State of New York building requirements, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the release of bond #: 2005-29 in the amount of \$4,000 to Lee Manning Vogelstein, 24 Old Stone Hill Road, Pound Ridge, NY 10576 for construction of a gate and driveway that is within the 150’ wetland regulated area. The works had been completed in accordance with the Code of the Town of Pound Ridge and the State of New York building requirements, AND BE IT

MINUTES OF THE MEETING OF THE TOWN BOARD
TOWN OF POUND RIDGE
POUND RIDGE, NY
July 11, 2019

FURTHER RESOLVED, that the Town Board hereby authorizes the release of bond #: 2006-04 in the amount of \$5,000 to Neil Mitchell, 18 Lyndel Road, Pound Ridge, NY 10576 for construction of a wall, spa and terrace that is within the 150' wetland regulated area. The works had been completed in accordance with the Code of the Town of Pound Ridge and the State of New York building requirements, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the release of bond #: 2005-30 in the amount of \$10,000 to Ira Resnick, 270 Stone Hill Road, Pound Ridge, NY 10576 for construction of a pool, cabana and porch that is within the 150' wetland regulated area. The works had been completed in accordance with the Code of the Town of Pound Ridge and the State of New York building requirements.

- **Liaison Reports**

FINANCIAL MATTERS:

- **Receiver of Taxes-authorization to refund duplicate of payments**

RESOLUTION #: 138-19

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

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

<u>Name</u>	<u>Parcel ID</u>	<u>Amt.</u>	<u>Reason</u>
Sodhi	9457-3.11	\$202.79	Penalty
Hesse	9816-72	\$929.33	Duplicate
Hesse	9816-74	\$4,628.03	Duplicate
Hesse	9816-80	\$929.33	Duplicate
Abisch	10047-90	\$3,760.24	Duplicate & Penalty

- **Recreation – refund requests for Conant Hall; Day Camp and Pool**

RESOLUTION #: 139 -19

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman Briggs, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the refund of \$1,050 for Day Camp and Pool use fee to Jennifer Buschman, 54 Appleby Drive, Bedford, NY 10506 due to son not being able to attend camp, AND BE IT

FURTHER RESOLVED, that the Town Board authorizes the refund of \$500 for the deposit for use of Conant Hall to Danielle Machado, 39 Ridgeland Road, South Salem, NY 10590 due to cancellation of use, AND BE IT

FURTHER RESOLVED, that the Town Board authorizes the refund of \$500.00 for the deposit for use of Conant Hall to the Pound Ridge Elementary School PTA for their end of year party. The premises were inspected and found to be in acceptable condition, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the refund of \$240.00 to Grace Smith, 26 Highcliff Terrace, Pound Ridge, NY 10576 for tennis lessons her children were unable to attend, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the refund of \$65.00 to Christina Brent, PO Box 326, Pound Ridge, NY 10576 for a camp trip her child was not able to attend, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the refund of \$65.00 to Phoung Siders, 10 Eastern Farms Road, Pound Ridge, NY 10576 for a camp trip her child was not able to attend, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the refund of \$32.54 to Jeff Nurenberg, 34 Deerfield Road, Pound Ridge, NY 10576 for day camp supplies purchased at FedEx Office.

PAY BILLS:

RESOLUTION #: 140-19

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman Sullivan, Board polled and motion passing 4-0 with Councilwoman Briggs abstaining on the following:

WHEREAS, Councilwoman Briggs has audited the 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		\$309,887.40
HIGHWAY FUND	D		\$225,590.00
TRUST AND AGENCY	T		\$148,219.64
CAPITAL	H		\$0

ADJOURNMENT: There being no further business to come before the Board Supervisor Hansan adjourned the regular meeting at 8:40 p.m.

Supervisor Hansan reopened the Town Board meeting as Parking District Commissioners to pay the Parking District claims.

RESOLUTION #: 141-19

Board Action: Motion by Councilwoman Sullivan, seconded by Councilman Dow, motion carried 4-0 with Councilman Briggs abstaining on the following:

WHEREAS, Councilwoman Briggs 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:

PARKING DISTRICT	ST		\$ 715.58
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ADJOURNMENT: There being no further business to come before the Board Supervisor Hansan adjourned the Parking District meeting at 8:45 p.m.

Joanne Pace
 Dated at Pound Ridge, New York
 July 12, 2019