

MINUTES OF THE JUNE 04, 2015 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 RICHARD LYMAN; COUNCIL MEMBERS: DANIEL PASCHKES, ALISON BOAK, BONNIE SCHWARTZ AND SHERENE DE PALMA

ALSO PRESENT: TOWN ATTORNEY WILLIAM P. HARRINGTON  
TOWN CLERK, JOANNE PACE  
DEPUTY SUPERVISOR JONATHAN POWERS

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

**CALL FOR EXECUTIVE SESSION:**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilwoman De Palma, all voting aye to hold an Executive Session on Thursday, June 11, 2015 at 7:00 p.m. for a personnel matter.

**CALL FOR WORK SESSION:** None

The Town Board did not feel a Work Session was necessary for Thursday, June 11, 2015.

- **ANNOUNCEMENTS/REMINDERS:**

Supervisor Lyman mentioned that the Record Review reporter Don Heppner had requested time to address the Town Board on a matter but called ahead of time to say he could not make the meeting and asked to be on the June 11, 2015 agenda.

**MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting held on Thursday, May 14, 2015.**

**Board Action:** Motion by Councilwoman Boak, seconded by Councilwoman De Palma, all voting aye to accept the minutes of the Town Board meeting held on May 14, 2015.

**NEW BUSINESS:**

- **Inn at Pound Ridge- amendment to original Special Use Permit**

Jason Worflar, General Manager of the Inn at Pound Ridge, is requesting an amendment to their existing Special Use Permit. They are almost finished with the parking project on their property and have cancelled the Pound Ridge Nursery Parking Contract effective May 31, 2015. The following is the verbiage requested for the amended items:

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1. All vehicle parking for the patrons and other invitees of the Applicant as well as its employees shall occur in accordance with the Amended Site Plan drawing set prepared by John Meyer Consulting, PC, last revised June 19, 2014 (attached in small scale as Exhibit A) as well as the Revised On and Off Premises Parking Management Plan prepared by the Applicants dated August 7, 2014 (attached as Exhibit B), collectively detailing the on-site parking at the Premises and the off-site parking at the Bedford Central School District (see redacted Agreement attached as Exhibit D).
2. Notwithstanding the fact that the on-site parking complies with zoning, the Applicant is required to notify the Town Board within 7 days of their notice of any change to the off-site parking arrangements at the adjacent Bedford Central School District property reducing the total off-site parking below 55 spaces. Should the total of off-site parking fall below 20 spaces combined, or should a new property be introduced, then the Applicant will immediately commence a Special Use Permit Amendment process with the Town Board. All temporary parking arrangements for Conant Hall, Samuel Parker's Landmark Deli or otherwise will end upon the issuance of a Certificate of completion for the improvements contemplated by the 2014 Approvals of the Amended Site Plan and the Amended Special Permit.

Jason Worflar mentioned that the Bedford Central School District will allow the Inn at Pound Ridge to utilize the same 20 parking spaces they have been using in the past year for overflow of vehicles. Mr. Worflar asked if the Town Board would allow the continuation of the use of parking behind Conant Hall and some members of the Town Board felt it should not be continued because of the increase of events at Conant Hall.

Supervisor Lyman and Councilman Paschkes felt that the language in the second paragraph need to be revised/reworded and Councilman Paschkes along with Hannah Taylor-Noren, applicant's employee, will draft new language and pass it on to Town Counsel Harrington for his review and then present it to the Town Board at the July 9, 2015 meeting. Mr. Worflar will have Jim Perry, Building Inspector; walk the property at the Inn to make sure he is in agreement with the parking situation.

- **Pound Ridge Partnership – approval of the Harvest Festival Permit**

\*The record shows that Councilwoman Boak recused herself from this portion of the agenda because she is a member of the Partnership Harvest Festival Committee.

Mike Daglio spoke on behalf of the Partnership regarding the application submitted to the Town Board for a Special Event Permit for their annual Harvest Festival that will be held on October 17, 2015 with a rain date of October 18, 2015 in the Pound Ridge Town Park. The Town Wide Block Party will be from 10:00 a.m. to 6:00 p.m. They have submitted a 2015 Pound Ridge Harvest Festival Alcohol Control Plan to the Town Board as requested by Chief David Ryan and the Town

Board members. Supervisor Lyman will write a letter of support for the Pound Ridge Partnership's application for a liquor license for this event. They are also requesting permission to hang a banner across Westchester Avenue announcing the Harvest Festival. It will be hung no later than September 10, 2015 and will be taken down after the festival.

**RESOLUTION #: 112-15**

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

RESOLVED, that the Town Board hereby approves the Special Event Permit application from Pound Ridge Partnership for the annual Harvest Festival that will be held on Saturday, October 17, 2015 with the rain date of Sunday, October 18, 2015 from 2:00 p.m. to 6:00 p.m. subject to receiving the appropriate permits from the Department of Health and Certificates of Liability no later than two (2) weeks prior to the day of the event and satisfactory review by the Town Attorney. The Committee submitted an alcohol plan with Chief Ryan and the Town Board and it looks fine, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to write a letter of support for the Pound Ridge Partnership's application for a liquor license for this event.

- **Conservation Board – Microbeads- Free Water Act**

The Conservation Board recommends that the Town Board pass a resolution to support the New York State legislation known as the Microbeads-Free Water Act. This act would ban the sale of cosmetics and personal care products containing microbeads. The proposed Microbeads Resolution is as follows:

WHEREAS, microbeads, which are polyethylene microspheres ranging in size from 10 to 1,000 micrometers, or 4/10,000 to 4/100 of an inch in diameter, are used in personal care products such as toothpastes, cosmetics and shaving cream;

WHEREAS, it has been demonstrated that microbeads, which accumulate bacteria on their surfaces, can get lodged in a person's gums and lead to health issues;

WHEREAS, microbeads enter our septic systems by way of bathroom drains and are transported to a sewage treatment system when a septic system is periodically cleaned out, as required by law, the microbeads in the waste water cannot be filtered by existing methods;

WHEREAS, the microbeads do not biodegrade, and then enter our surface waters and the aquatic food chain, where they have been measured at high levels in such places as Lake Erie, Lake Ontario and the Finger Lakes;

WHEREAS, a study, *Discharging Microbeads to Our Waters: an Examination of Wastewater Treatment Plants in New York*, detected microbeads discharged into New York's waterways in 74 percent of samples provided by 34 municipal and private treatment centers; and

WHEREAS, these microbeads can affect human health, enter the food chain, persist in the environment, and have long term unknown consequences; NOW, THEREFORE, BE IT

RESOLVED, the Town Board of Pound Ridge urges the passage of the Microbeads-Free Water Act (passed by the Assembly as A5896-2015 and before the Senate as S3932-2015) to protect the health and welfare of the citizens of New York, AND BE IT

FURTHER RESOLVED, that the Town Board of the Town of Pound Ridge urges the Governor to immediately sign the bill following passage by the State Senate.

**RESOLUTION #: 113-15**

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

RESOLVED, that the Town Board hereby adopts the resolution for the Microbeads-Free Water Act as proposed above and authorizes the Conservation Board to forward it to the Majority Leader John Flannigan and Governor Cuomo and urging them to sign the bill immediately upon the passage from the Senate.

- **Highway Department-approval of the Agreement for the Expenditure**

There is an agreement for the expenditure of highway moneys between the Town Highway Superintendent and Town Board members of the Town of Pound Ridge. Pursuant to the provisions of Section 284 of the Highway Law, they agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

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1. GENERAL REPAIRS: the sum of \$125,000 shall be set aside to be expended for primary work and general repairs upon 69 miles of the Town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.
2. PERMANENT IMPROVEMENTS: Various sums shall be set aside to be expended for the permanent improvements of the Town highways. A list of roads and the amount needed is written in the agreement.

The Town Board members will all sign two (2) original agreements along with the Superintendent of Highways and forward one original to Westchester County and keep one original in our files.

- **Maintenance Dept. – approval of hiring one person for summer help**

**RESOLUTION #: 114-15**

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

RESOLVED, that the Town Board hereby authorizes the hiring of one person for summer help starting the last 2 weeks of June and ending the last week of August 2015 in the maintenance department at the hourly rate of \$13.00.

- **MS4 – approval of Annual Report**

Deputy Supervisor Jon Powers summarized the annual MS4 report showing the progress and project plans toward achieving measurable goals identified in our Storm Water Management Program Plan. The main goal is to protect water quality. Beth Evans, Stormwater Compliance Consultant, helped prepare the annual report. The GIS aerial map provided by Westchester County has been accurately updated and the outflows have been mapped in that system. The Conservation Board will be in charge of inspecting the out flow points to assure that any illicit discharges are being detected and reported.

The Conservation Board, Land Conservancy and Mianus Gorge have a good communication plan and active program explaining what to do and what not to do. Education is a key factor and they are doing a great job educating the residents. Pound Ridge has done everything we can do to help protect water quality. With the passing of the septic system pumping bill, additional letters will be sent out to the residents who have not yet complied with the pumping regulations.

**RESOLUTION #: 115-15**

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

RESOLVED, that the Town Board hereby accepts the MS4 report and authorizes the Supervisor to sign the report prepared on our behalf and submit the same.

**RESOLUTION #: 116-15**

**Board Action:** Motion by Councilman Paschkes, seconded by Councilwoman Schwartz, all voting aye to authorize William P. Harrington, Town Attorney, to respond to the request by the DEP indicating that we have no pending or anticipated future projects within the DEP watershed as of today.

- **Town Clerk – sale of Cemetery Plot**

**RESOLUTION #: 117-15**

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

RESOLVED, that the Supervisor be and is hereby authorized to sell Town Cemetery Plot # 222-2, Section 3 to Norman and Phyllis Tunnell, 23 West Lane, Pound Ridge, NY 10576 in the amount of one thousand dollars (\$1,000) for one gravesite, AND, BE IT

FURTHER RESOLVED, that the Supervisor be and is hereby authorized to sell Town Cemetery Plot # 175-2, Section 3 to Susan Wasser, 27 White Birch Road, Pound Ridge, NY 10576 in the amount of one thousand dollars (\$1,000) for one gravesite.

- **Discussion on Web Casting Town Meetings**

Webcasting our Town Board meetings as well as the Planning Board and Zoning Board meetings has become an interest for the Town. Director of Finance, Steve Conti, has had conference calls with one vendor Granicus, Inc. who would customize fully searchable resident and staff web portals. The program is fully hosted by the vendor and can be used for unlimited meeting groups. The hardware which we would need to purchase from Granicus to use their service in a digital format costs approximately \$4,500. The Town would be responsible to purchase a video camera and microphones for approximately \$3,500. There is a monthly cost of approximately \$300 for the service. The Towns of Bedford, North Salem, North Castle, Irvington, Rye Brook and Watkins Glen have this vendor and are very satisfied.

The Town Board has asked Steve to come back with specifications for the digital video camera and microphones and possibly the cost of a new laptop computer. Supervisor Lyman is in agreement with going forward on the web casting; however, he wanted to make sure that the equipment is sufficient. This will be discussed at the July 9<sup>th</sup> Town Board meeting.

The other thought would be to have access to financial information on the web. The residents would be able to follow the spending of the Town on the web.

**FINANCIAL MATTERS:**

**Recreation Department – requesting refunds**

**RESOLUTION #: 118-15**

**Board Action:** Motion by Councilwoman De Palma, seconded by Councilwoman Schwartz, all voting aye on the following:

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

|   |                     |   |
|---|---------------------|---|
| Michael Kornblau<br>11 Petit Lane<br>Pound Ridge, NY 10576  | \$405.00 from A2001 | Refund of overpayment of<br>camp fee due to transfer of<br>programs |
| David Behrends<br>65 Wildwood Rd.<br>Stamford, CT 06903     | \$50.00 from A2025  | Nonresident pool membership<br>referral fee                         |
| Allison Levey<br>45 Horseshoe Hill<br>Pound Ridge, NY 10576 | \$40.00 from A2001  | Refund for overpayment of camp<br>fees                              |
| Sarah Stelter<br>98 Hack Green Rd.<br>Pound Ridge, NY 10576 | \$130.00 from A2001 | Refund for overpayment of camp<br>fees                              |
| James Brown<br>25 Woodland Rd.<br>Pound Ridge, NY 10576     | \$130.00 from A2001 | Refund of camp fees due to schedule<br>conflict                     |

**ADJOURNMENT:** There being no further business to come before the Board  
Supervisor Lyman adjourned the regular meeting at 9:25 p.m.

Joanne Pace  
Dated at Pound Ridge, New York  
June 5, 2015