

MINUTES OF THE JULY 9, 2015 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARING 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 CLERK, JOANNE PACE
TOWN ATTORNEY WILLIAM P. HARRINGTON
DEPUTY SUPERVISOR JONATHAN POWERS

CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman Schwartz, all voting aye to hold an Executive Session immediately following the Town Board meeting for legal matters.

ANNOUNCEMENTS

- Supervisor Lyman thanked all those involved with the fireworks celebration that was held on Friday, July 3rd including OEM, Police, Fire Department, Maintenance, Recreation and special thanks to Marianne Vitelli, Assistant to the Supervisor who works hard to put the event together. He also thanked all those who donated toward the cost of the event.
- Supervisor Lyman announced that two items have been removed from the agenda tonight: 1) Pound Ridge Historical Society asking for approval to host a summer social at the Town House. They decided to change their plans for this social event, 2) Medal of Honor-event on Sept. 13th. The proper information has not yet been submitted by the group that wanted to piggyback onto the celebration.
- There will be an added item to the agenda to make a couple of appointments.

MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting held on June 11, 2015.

Board Action: Motion by Councilwoman Schwartz, seconded by Councilwoman De Palma, all voting aye to accept the minutes of the Town Board Meeting held on June 11, 2015.

PUBLIC HEARING: Continuation of Public Hearing Community Choice Aggregation program

Board Action: Motion by Councilwoman Schwartz, seconded by Councilwoman Boak, all voting aye to reopen the Public Hearing on the Community Choice Aggregation program.

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The Town Board has a draft Local Law that was suggested by the Department of State to establish a Community Choice Aggregation (Energy) Program in Pound Ridge. Counsel Harrington reviewed the legislation and made a couple of amendments.

- The first change was merely a typo. Rather than stating what the policy of the State of New York is, Counsel Harrington amended §1. A. to read: “It is *sound public and municipal* policy to reduce costs and provide cost certainty” It is a neutral statement as opposed to a possessive statement.
- In Chapter 3 C. Counsel Harrington struck out “will adopt one or more” resolutions and replaced it with “*shall consider passage of*” resolutions....”
- Counsel Harrington does not feel that the Town should incur the administrative or postage costs for sending out the notices and changed §5. A. by removing “The Town of Pound Ridge will notify its residential and Small Commercial customers” to “*Sustainable Westchester* in conjunction with the ESCO will notify residential and Small Commercial customers, by letter notice, of the *Town’s* decision to establish the CCA Program, of the contract terms with an ESCO, and the opportunity to opt out of the CCA Program. *Electronic copies of said letters shall be transmitted to the Town in a format designated by the Town.*”
- In Chapter 5. C. Counsel Harrington suggested rewording “The opt-out period shall be twenty (20) days” to include

Councilman Paschkes does not feel comfortable adopting this Local Law at this time because he doesn’t feel that the residents have been notified properly about the change that will be taking place with their energy provider. He suggests tabling this until August or September in order to get more information out to the residents. Dave Goldberg, Recreation Superintendent, will send out an e-mail blast to the residents regarding the changes proposed for the Town with their energy provider and try to get feedback.

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman Boak, all voting aye to keep the Public Hearing on the Community Choice Aggregation program open until September in order to get the notice out to the residents and some feedback. Supervisor Lyman will draft a notice that can be circulated to the residents outlining what changes are proposed with the Town’s energy provider.

NEW BUSINESS:

- **Auditors Report for year ending 2014**

Susan Barosi and Leslie Tillotson of O’Connor Davies, LLP explained that the financial statements are the responsibility of the Town’s management. Ms. Barosi said that the Town has five funds: General Fund, Highway Fund, Capitol Fund, Parking Fund and Special Purpose Fund or Trust and Agency Fund. Tonight they did a joint presentation

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with Steve Conti, Director of Finance, focusing on the General Fund which is the operational fund. The auditor's express no opinions on these basic financial statements based on the audit. They briefly went through stating that the financials contain reasonable estimates, no significant audit adjustments, no disagreements and no major accounting, auditing or reporting issues. The financial statements present fairly the respective financial position of the governmental activities with accounting principles generally accepted in the United States of America.

Steve Conti distributed a copy of "Open Book New York" which is a local government data search where you could view revenues and expenditures from surrounding Towns. It is annual and is broken out by categories. There isn't a lot of detail but it is good tool to have when it comes to financial transparency. Municipalities are placing their budget and other data online to create fiscal transparency.

Another option for fiscal transparency is "OpenGov" which is software in cloud-based financial transparency giving the public a look at detailed expenditures within the Town. The information would be input by Steve Conti using KVS software. OpenGov is linked with KVS. The financial information would be more accessible to the public. OpenGov is setting new standards for how governments analyze, share and compare financial data. The cost would be approximately \$4,000 annually for a full package. This can be presented to the Town Board in September for consideration.

Susan Barosi went through the General Fund and mentioned that there was a negative balance in revenues of (\$256,704) with (\$246,529) of this being a deficiency in real property taxes, uncollected taxes. Collections have slowed down and liens are higher. The (\$246,529) represents a reserve for uncollected taxes. The Town did better on the expenditure side. A copy of the draft financials are in the Town Clerk's office for anyone who wishes to review it.

They prepared a Management Letter which discusses the strength and weaknesses in the internal control and suggestions for any operating deficiencies. At the end of the audit process, the Town of Pound Ridge received an unmodified opinion which is the best opinion that any municipality can get. Susan Barosi briefly went through the Summary of Communications of Internal Control Matters and there were no material errors, frauds or illegal acts or weakness identified. All accounting policies appeared appropriate. There was nothing to report.

Supervisor Lyman thanked Steve Conti, Director of Finance, along with O'Connor Davies, LLP for all their work for helping keeping Pound Ridge financially secure.

- ~~Pound Ridge Historical Society approval to host a Summer Lawn Social at the Town House~~

- **Recreation Department-to accept JoAnn Luksin's resignation & recommendation from the Recreation Commission for a replacement**

RESOLUTION #: 129 -15

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

RESOLVED, that the Town Board hereby accepts the resignation/retirement of JoAnn Luksin from the Recreation Department effective July 31, 2015.

The Recreation Commission would like to upgrade the position for the replacement in the Recreation Department to Recreation Leader so that the candidate would have recreation department experience and would be able to assist the Recreation Director in both office and field/program activities. The position will not increase the budget line for an assistant to the Recreation Department; only the job description and responsibilities will change.

RESOLUTION #: 130-15

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

RESOLVED, that the Town Board hereby authorizes the Town Clerk to create the new title of Recreation Leader for the vacant position in the Recreation Department and upon receipt of the title from Civil Service, call for the list.

- ~~Medal of Honor Thomas Murphy event on Sept. 13~~
- **Mutual Aid &Rapid Response IMA–renewal of agreement expiring 7/30/15**

The current Mutual Aid and Rapid Response InterMunicipal Agreement (IMA) between the Town of Pound Ridge and the Westchester County Department of Public Safety will expire on July 30, 2015. The Commissioner of the Department of Public Safety would like us to continue to participate and asked that we authorize Supervisor Lyman to sign and execute the agreement. The purpose of the plan for the Police Departments of Westchester County is to formalize operational procedures for Law enforcement assistance to participating agencies. The agreement is for five (5) years. Chief Ryan and Counsel Harrington have reviewed the agreement and support it. Councilman Paschkes pointed out that the "Cause and Origin Zone Listing" on pages 10-12 in the second section of the Addendum talks about fire mutual aid. We don't have a municipal Fire

Department; we have a volunteer Fire Department. To what extent is it appropriate for this IMA to have the Pound Ridge Fire Department as part of its structure? Are we obligated to provide something that we don't have and we don't have the authority to bind the Fire Department or Fire District? Counsel Harrington said that in his experience, we just do it and go when needed. He can amend it slightly to strike that so it doesn't misrepresent. Mr. Harrington will confer with the County Director of Public Safety, George Longworth, to see if the contract clause even applies to all volunteer fire departments.

RESOLUTION #: 131 -15

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

RESOLVED, that the Town Board hereby conditionally approves Supervisor Lyman to sign and execute the Mutual Aid and Rapid Response InterMunicipal Agreement (IMA) between the Town of Pound Ridge and the Westchester County Department of Public Safety based upon the Town Attorney's review of and revision as necessary of that portion of the IMA relating to the Pound Ridge Fire Department. The agreement will commence on July 30, 2015 and expire on July 30, 2020.

- **Highway Dept. – change to Highway Agreement**

Vinnie Duffield, Highway Superintendent, is asking for an amendment to the Agreement for Expenditures of Highway Moneys. The plans for road repair have changed due to the harsh winter. The following are the proposed changes:

Section A: delete completely and change to “On the road commencing at Trinity Pass and Old Mill River Road and going approximately 13—feet down Old Mill River Road. There shall be expended not over the sum of \$19,000.

Section B: delete completely and change to “On the road commencing at Westchester Avenue and State Route 137 and leading to Westchester Avenue at the NY/CT state line, going for a distance of 2 miles. There shall be a sum expended not over \$10,000.

Section C: change amount from \$100,000 to \$134,000.

Section D: change amount from \$67,000 to \$110,000.

Section E: delete completely and change to “On the road commencing at Heerdt Farm Rd. and State Route 137 and leading to Heerdt Farm Rd. turnaround, a distance of 700 ft. There shall be expended not over the sum of \$19,000.

Section F: delete completely

Section G: delete completely
Section H: delete completely

RESOLUTION #: 132 -15

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

RESOLVED, that the Town Board hereby instruct that a revised Agreement be prepared conforming to the revisions as needed and as detailed in the memorandum submitted by the Highway Superintendent and upon receipt of that, he and the Town Board be authorized to sign it.

• **Discussion on video streaming of meetings**

Steve Conti, Director of Finance, gave options for video streaming and archiving of Town meetings and events. He put together a plan that will provide a flexible solution for video for the Town. Granicus is the site that hosts the meeting technology and he gave an estimated cost to put this together as follows:

- Granicus Equipment (Digital Encoder) \$4,500
- Video Equipment (camera, microphones) \$3,000
- Consultants \$1,500
- Total \$9,000

He did a lot of research and found the equipment to be quality video and sound and easy to use. He found the Sony PXW-X70 Professional XDCAM Compact Camcorder to be highly recommended and it is an SDI vs. HDMI. It would be mounted on a tri-pod. There would be microphones put on the main table and another one either on the podium or placed somewhere in the audience. It would be \$300 a month for unlimited meetings, Phase 1 would be video streaming the Town Board meetings, Phase 11 would be video streaming all the other Board meetings and Phase 111 could be video streaming events in Town. You can take the camera to the event and video it.

Some discussion took place regarding whether or not the Town Board should authorize this now or wait a month to get a feel of what other important departmental needs may be using the 2015 budget. The consensus is to go forward with this but the Town Board is willing to wait until next month to authorize the purchase.

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman De Palma, all voting aye to put this on the August Town Board agenda to see if there are any other departmental emergency charges for 2015.

- **Town Clerk -change in position for Roseann and extra hours for Wendy in the Planning Office**

Our current receptionist, Roseann Vuotto, whom we had initially moved upstairs to help Karen Taft, has now moved across the hall to help Diane Briganti, Assessor, with her clerical work. She will be working part time (17 ½ hrs.a week) with Diane going forward. She was making \$17.74 an hour as receptionist and \$20.00 an hour working as Conservation Secretary. As per the Town Board, when assisting Karen, Roseann was to be paid \$20.00 per hour, which is within the budgeted amount for assistance for Planning Assistance. Diane suggested that Roseann get the same \$20.00 per hour working with her because she will have a great deal of responsibility in her office, and she has money budgeted for that slot.

Wendy Posimato, Finance, will be helping out Karen a day or two a week filing and doing escrow input. We can get away with giving Wendy a few more hours per week with Civil Service noting that this is a “Special Project” for a few months.

The desk currently needs coverage Monday and Tuesday as Roseann has moved upstairs. At the time we moved Roseann upstairs, we were unaware that Diane also needed help, which explains the change from what I had initially proposed regarding the front desk. All of the positions are budgeted, so there is no increase in expenditures going forward.

I have put the advertisement for the two days on the website and have received a few resumes. I will interview the candidates in the next week or two and hopefully find someone who can take on the responsibilities of the front desk.

RESOLUTION #: 133-15

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

RESOLVED, that the Town Board hereby authorizes the Town Clerk to advertise for a part time receptionist at an hourly rate of \$17.00.

Appointment of members of the Wastewater Task Force

RESOLUTION #: 134-15

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

RESOLVED, that the Town Board hereby appoints James Best, Ellen Ivens and Peter Vogel to be members of the Wastewater Task Force effective immediately.

• **Liaison Reports**

Councilwoman Boak gave an update on the TEP project. The Committee did an extensive site walk and looked carefully at the wants and needs for us to meet this grant in a way that comes in under budget. The Town Board will call for a Special Town Board meeting on Tuesday, July 28th at 7:00 p.m. to present the TEP update.

Councilwoman De Palma spoke extensively with Verizon and American Tower to rekindle or continue their conversations to get Verizon on the cell tower in Scotts Corner. There was a glitch with the space allowance but they are working on this to get Verizon on the tower.

Councilwoman Boak said that the income surveys of residents in PB-A, PB-B and PB-C are slowly coming in.

FINANCIAL MATTERS:

• **Finance-approval to increase the Open Space Fund**

Steve Conti, Director of Finance, is requesting approval to increase the reserve for the Pound Ridge Open Space Fund by \$227,761 to account for transfers made in 2014 and 2015 as per the Adopted budgets.

RESOLUTION #: 135 -15

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

RESOLVED, that the Town Board hereby authorizes Steve Conti, Director of Finance, to increase the reserve for the Pound Ridge Open Space Fund by \$227,761 to account for transfers made in 2014 and 2015 as per the Adopted budgets.

- **Receiver of Taxes- refund for duplicate payments**

RESOLUTION #: 136-15

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

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

<u>Block/Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Reason</u>
9031-42.1	Coleman	\$ 4,610.72	overpayment
10269-5	Wrynn	\$ 4,191.57	penalty due
9455-9	Marner	\$14,251.32	duplicate payment
9816-29	Lee	\$ 115.20	duplicate payment
9317-85	Albers	\$ 1,217.11	overpayment
10047-67.1	Levine	\$10,540.62	duplicate payment
9827-8	Donner	\$ 3,162.18	duplicate payment
10047-73	Sorio	\$ 3,764.51	

- **Recreation Department – refund for Conant Hall deposit and pool membership refund**

RESOLUTION #: 137 -15

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

RESOLVED, that the Town Board hereby authorizes the refund of five hundred (\$500) dollars deposit to Pound Ridge Elementary School PTA c/o Diane Malichio, 5 Scofield Rd., Pound Ridge, NY for the 5th grade dance held at Conant Hall on June 12, 2015, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the refund of five hundred (\$500) dollars deposit to Pound Ridge Elementary School PTA c/o Diane Malichio, 5 Scofield Rd., Pound Ridge, NY for the PTA General meeting and party on June 16, 2015, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the refund of five hundred (\$500) dollars deposit to Joseph Zaino, 45 Indian Hill Road, Pound

Ridge, NY for a birthday party on June 13, 2015.

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

Fiona Rohde 404 Wildwood Rd. Stamford, CT 06903	\$50.00 from A2015	Nonresident Pool membership referral fee
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Monthly Reports

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

Pay Bills

RESOLUTION #: 138-15

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

WHEREAS, Councilwoman De Palma has audited claims for payment and has reported that same could be paid subject to obtaining additional documents or department head signatures to approve them, 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		\$192,444.62
HIGHWAY FUND	D		\$ 25,737.52
TRUST AND AGENCY	T		\$ 94,828.04
CAPITAL	H		\$ 2,630.00

ADJOURNMENT: There being no further business to come before the Board Supervisor Lyman adjourned the regular meeting at 10:27 p.m.

RECONVENE AS THE PARKING DISTRICT COMMISSION

- **Pay Bills**

RESOLUTION #: 139-15

Board Action: Motion by Councilwoman Schwartz, seconded by Councilwoman Boak, motion carried 4-0 with Councilwoman De Palma abstaining on the following:

WHEREAS, Councilwoman De Palma 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		\$ 49.00
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ADJOURNMENT

Supervisor Lyman adjourned the regular meeting at 10:30 p.m.

Joanne Pace, Town Clerk
Dated at Pound Ridge, New York
July 10, 2015