

MINUTES OF THE JUNE 09, 2016 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: DEPUTY SUPERVISOR JONATHAN POWERS; COUNCIL MEMBERS: DANIEL PASCHKES, BONNIE SCHWARTZ, JODY SULLIVAN AND DAVID DOW

ALSO PRESENT: TOWN ATTORNEY WILLIAM P. HARRINGTON, ESQ.
DEPUTY TOWN CLERK, LYNN PRINCISVALLE

ABSENT: SUPERVISOR RICHARD LYMAN

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

CALL FOR EXECUTIVE SESSION: None

***Introduction of three junior members of the Conservation Board:**

Deputy Supervisor Powers introduced the three new junior members of the Conservation Board. Their names are Luke Lyon, Stephanie Ingraldi and Angela Peck and they are all students at Fox Lane High School. They were all given the Code of Ethics to read. Councilman Paschkes commended the commission for their ambitious work and expanded scope of their program.

ANNOUNCEMENTS/REMINDERS:

- Deputy Supervisor Powers announced that there will be a Supervisor's Forum on Saturday, June 11, 2106 at 10:00 a.m.; Pride Day is scheduled for Sunday, June 12, 2016 as well as Open House for the Town Park Pool.
- The fireworks event will be held on Saturday, July 2, 2016 at the Town Park.

*MS4-DEC report was added to tonight's agenda.

MINUTES: Acknowledge/correct/accept minutes of the Town Board Meeting held on Thursday, May 12, 2016

Board Action: Motion by Councilwoman Schwartz, seconded by Councilwoman Sullivan, all voting aye to accept the minutes of the Town Board Meeting held on Thursday, May 12, 2106.

NEW BUSINESS:

- **Pound Ridge Partnership-approval for the Special Event Permit Application for the Harvest Festival, approval to hand the banner and to use the town bus**

RESOLUTION #: 101-16

MINUTES OF THE MEETING OF THE TOWN BOARD
TOWN OF POUND RIDGE
POUND RIDGE, NY
June 09, 2016

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman Schwartz, all voting aye 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 15, 2016 from 12:00 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.

FURTHER RESOLVED, that the Town Board hereby authorizes the Pound Ridge Partnership to hang a banner across Westchester Avenue advertising the Pound Ridge Harvest Festival that will be held on Saturday, October 15, 2016. It will be hung up no later than September 10, 2016 and taken down after the event, AND BE IT

FURTHER RESOLVED, that the Town Board hereby authorizes the Pound Ridge Harvest Festival Committee to use the Town bus to shuttle event vendors and volunteers to the Pound Ridge Harvest Festival that will be held on Saturday, October 15, 2016 from 11:00 a.m. to 6:30 p.m.

- **Marshall Oil – Special Use Permit modifications**

Keith Simpson Associates, Inc. prepared the Special Use Permit application and supporting documentation for the Marshall Oil Property improvements including a new above ground oil tank and associated site work. The project includes removal of existing below ground tanks. Ernie and Eddie Marshall were in attendance along with Bill Pollack who works with Keith Simpson. The Marshalls would like to continue their best management practices in the oil delivery service. There was an environmental concern with the removal of the oil tanks. They intend to be very environmental responsible with the improvements. Most of the activity is intended to take place on the west side of their property. Salem Road is a very busy road and Marshall Oil will be diligent about entering and exiting their property. The 25,000 gallon above ground tank will rise approximately 12' above ground. It will be in the approximate area of the existing shed that is approximately 6' high. That shed will be coming down, so the tank will rise that 6' plus an additional 6'. The neighbor next door is worried about the value of their property that is approximately 85'-100' away from the area where the tank will go. He may be able to see the very top of the tank from their front door. Keith Simpson Associates may propose doing extensive grading and possibly put a retaining wall to shield the tank from the neighbor. They will do their

best to mitigate any visibility. Councilman Paschkes suggested putting a natural berm instead of a concrete wall.

This will be referred to the Planning Board for their review and recommendations. The determination of Lead Agency for SEQRA will be determined after the Planning Board has reviewed it.

RESOLUTION #: 102-16

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

RESOLVED, that the Town Board hereby refers the Special Use Permit application for the improvements to the Marshall Oil property to the Planning Boards for their review and recommendations.

• **Police Department-Reporting on the 2015 Deer Management**

Deputy Supervisor Powers briefed the Town Board on the 2015 Deer Management program and Chief Ryan continued to outline an overall look back at the past 10 years history of the program that included the following:

- 601 deer taken (416 does and 185 bucks)
- Partner with other organizations
- No injuries to program members or public
- Reduced hunter by 74 percent
- Modified “Earn a Buck” program
- Visual reduction in herd size
- County data shows visual change in return of some plant species
- Numerous private properties are now hunted

Some changes for 2016 will include:

- 2 properties (Siscowit and Trinity Lake) will be utilized on a scheduled rather than an assigned basis
- Will review previous 5 years data with hunters as a tool to see who are the most productive and who need to improve their performance
- Meet with Land Conservancy to consider closing preserves (to dogs only) during hunting season
- Look at various options to review “Ten Tallest” monitoring approach
- Mentoring Program

There has been visible sign of growth in the understory and vegetation since the start of the program.

- **Permission to attend the 2016 30th Annual Police Expo**

RESOLUTION #: 103 -16

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

RESOLVED, that the Town Board hereby authorizes Chief David Ryan and Sgt. Michael Armistead to attend the 2016 30th Annual Police Expo in Atlantic City, NJ June 28-June29, 2016. The cost to attend will not exceed \$400.00 for both and it is budgeted.

- **Town Clerk – approval of Special Use Permit**

RESOLUTION #: 104 -16

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

RESOLVED, that the Town Board hereby waives the Public Hearing and authorizes a Special Seasonal Use Permit for Plum Plums Cheese for outdoor seating during the months of April through November between the hours of 8:00 a.m. and 10:00 p.m.,

-Retirement Resolution

Regulations of the New York State Comptroller require reporting requirements for elected and appointed officials for membership and service credit in the New York State and Local Retirement System. A resolution needs to be passed each time local officials are elected and/or appointed or amended. The elected and/or appointed officials are required to report three (3) months of work activity that will be sent to the Retirement System.

RESOLUTION #: 105 -16

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman Schwartz, the Board polled and motion passed 3-0 with Councilman Dow abstaining 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:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Days/Month (based on Record of Activities)
Elected Officials						
Board Member	David Dow		61388203	6	01/01/16-12/31/19	2.60

- **Assessor – authorize the assessor to attend the annual NYS Assessors’ conference**

RESOLUTION #: 106 -16

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

RESOLVED, that the Town Board hereby authorizes Diane Briganti, Assessor, to attend the annual NYS Assessors’ Association Education Classes at Cornell University, Ithaca, NY from Sunday, July 10 through Friday, July 15, 2016. Expenses for lodging, meals, tuition, registration and travel are not to exceed \$1,400.

Conservation Board- Discuss letter of intent

Carrie Sears, Conservation Chair, gave an update on the commission’s focus on water resources, open space, climate, wildlife and habitat.

Carrie Sears sent a memo to Supervisor Lyman indicating support from the Conservation Board of a letter of intent to the Westchester Community Foundation (WCF), the first step in applying for funds from them. Following their review, they might be asked to submit a proposal with a deadline of July 1, 2016. The Conservation Board is asking for \$1,500 and providing a \$500.00 match. With the funds, they hope to recruit a college intern to help with digitizing the Town of Pound Ridge’s existing conservation easement records, create a data layer (map), and establish a management system for future easements. This would be put into the existing GIS system in Pound Ridge.

-Discuss Hudsonia and Toxic Targeting Contract

The Conservation Board has been awarded a grant in the amount of \$24,501 that includes subcontracting with two reputable and reliable firms: Toxic Targeting and Hudsonia to help with an environmental database report for the Town of Pound Ridge. The matching funds come from the Town Board, \$1,500; Conservation Board, \$3,000 and the Henry Morgenthau, \$999.00 which brings the total to \$30,000. Five thousand (\$5,000) will go to the Toxic Targeting firm and \$20,000 will go to Hudsonia firm.

Counsel Harrington has looked over the contracts and we will be sending an amendment to the Hudsonia contract. The last paragraph on the second page limiting the Town of Pound Ridge to \$1,000 liability will be eliminated. In place of that he will insert the standard language "Hudsonia shall maintain general liability insurance in a minimum amount of \$1 million. The Town shall be named an additional insured under the policy. The policy shall be in a form approved by the Town Attorney. Hudsonia shall provide the Town with a copy of the policy."

- **Liaison Reports**

Town Board members reported on their Boards and Commissions meetings.

FINANCIAL MATTERS:

- **Water Control Commission – release of bond**

RESOLUTION #: 107 -16

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

RESOLVED, that the Town Board hereby authorizes the release of the Water Control Bond in the amount of \$2,500 to Michelle Singer, 259 Salem Road, Pound Ridge, NY for requirements for harboring horses on her property. The owner has sold her home.

- **Tax Receiver – refund for overpayments and duplicate payments**

RESOLUTION #: 108-16

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

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

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<u>Name</u>	<u>Parcel ID</u>	<u>Amount</u>	<u>Reason</u>
Levan	9452-18.2	\$ 90.00	overpayment
Doramus	9816-12.1	\$2,493.29	overpayment
Strulovic	10263-80	\$ 273.00	overpayment
Mitchell	9320-84	\$2,911.68	incorrect amt.
Harris	9318-1.35	\$ 229.58	ref. of penalty
229 Upper Shad	9317-14	\$ 118.91	ref. of penalty
<u>Name</u>	<u>Parcel ID</u>	<u>Amount</u>	<u>Reason</u>
Maddocks	9316-53	\$ 6,730.58	duplicate pmt
Len	9320-45	\$ 1,539.02	duplicate pmt
Benker	9824-23.4	\$18,696.05	duplicate pmt
Mancuso	10263-11.2	\$10,282.83	duplicate pmt

- **Recreation Dept. – refund for CIT Camp Registration Fee**

RESOLUTION #: 109-16

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

RESOLVED, that the Town Board hereby authorizes the refund of one hundred seventy (\$170) dollars to Jackie Wiles, 36 hack Green Road, Pound Ridge, NY due to a conflict.

Monthly Reports

The monthly reports have been received for May 2016 and are available in the Town Clerk's office

- **Pay Bills**

RESOLUTION #:

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

WHEREAS, Councilwoman Sullivan 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		\$178,127.34
HIGHWAY FUND	D		\$ 8,832.82
TRUST AND AGENCY	T		\$ 77,064.24
CAPITAL	H		\$ 0

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

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

RESOLUTION #: 110-16

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

WHEREAS, Councilwoman Sullivan 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		\$1,354.70
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ADJOURNMENT: There being no further business to come before the Board Deputy Supervisor Powers adjourned the regular meeting at 9:41 p.m.

Joanne Pace
 Dated at Pound Ridge, New York
 June 13, 2016