

MINUTES OF THE OCTOBER 13, 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: SUPERVISOR RICHARD LYMAN; COUNCIL MEMBERS: DANIEL
PASCHKES, BONNIE SCHWARTZ, JODY SULLIVAN AND DAVID
DOW

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

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

CALL FOR EXECUTIVE SESSION: None

ANNOUNCEMENTS: None

**MINUTES: Acknowledge/correct/accept minutes of the Town Board meeting held
on October 6, 2016.**

Board Action: Motion by Councilwoman Sullivan, seconded by Councilwoman
Schwartz, all voting aye to accept the Town Board meeting minutes of October 6, 2016
as amended.

NEW BUSINESS:

- **NYSEG – presentation on Vegetation Management**

Weston Davis, Program Manager for Vegetation Management for NYSEG, gave a PowerPoint presentation explaining tree cutting in the residential area. The goal of NYSEG is to maintain proper clearance for the wires in order to supply energy to the residents. They try to keep all their customers informed of tree maintenance. Once they clear the trees from the wires, they will remove or chip the limbs and brush but they will leave the trunk pieces on the homeowner's property in manageable pieces right at the base of the tree stump. They cannot remove the big pieces as they are the property of the homeowner. The homeowner has the option of using the wood for themselves or try to give it away to landscapers. Certain trees may be able to be trimmed extensively around the wires to clear them. This maintenance is done every five years.

Mr. Davis explained that they are not responsible for cable lines or telephone lines, just electrical lines. They are also not responsible to clean up after a storm. NYSEG does not have the man power to clean up debris left behind by storms.

Samuel Miller, ISA Certified Arborist for NYSEG, answered some of the questions asked regarding the handling of tree trimming (aesthetics) and how persistent they can get. The

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homeowner does have the right to refuse the clearing, cutting or trimming; however, once the refusal sheet is given to NYSEG, Samuel Miller will contact the resident to explain why it must be done. Several factors are taken into consideration and there is usually a mutual agreement in the end.

Supervisor Lyman asked Mr. Davis for a copy of the PowerPoint presentation so that we can put it on the Town's website for the residents to see.

- **Association of Towns – annual meeting representative**

Every year the Town Board sends a representative to the Annual Association of Towns Training School and Annual Meeting in February and Supervisor Lyman mentioned that as long as he can remember, Councilman Paschkes has been our representative and reported back to the Town Board what he had learned. Supervisor Lyman thought he would ask if any other Town Board member would like to go and it appears that Councilman Paschkes will continue to be the Town's representative and delegate at the meeting.

RESOLUTION #: 137-16

Board Action: Motion by Councilwoman Schwartz, seconded by Councilman Dow, the Board polled and motion passed 4-0 with Councilman Paschkes abstaining on the following:

RESOLVED, that the Town Board hereby authorizes Councilman Paschkes to be designated as the Town's official delegate to attend the business session of the Association of Towns 2017 Training School and annual meeting, to be held in February 2017 (at a cost not to exceed \$1,300) and to cast the vote of the Town, pursuant to Section 6, Article III of the Constitution of By-Laws of said Association.

- **Free Legal Assessment regarding Cable, Wireless & Broadband issues-discussion**

With regard to the major changes in New York in the fields of cable, wireless and broadband, Time Warner and Cablevision were purchased by Charter and Altice. Municipalities are now preparing to negotiate franchise renewal with these new cable operators. The Cohen Law Group is offering a free legal assessment of our current cable franchise agreement, wireless ordinance, right of way ordinance and broadband plan. The new agreement appears to be shorter in duration and different than past agreements.

Supervisor Lyman will write a letter to the Cohen Law Group asking them to forward a more formal agreement for our Town Counsel to review. Councilman Paschkes stated

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- **Town Clerk – accept Fuel Oil bid**

This will be tabled until the November 3, 2016 Town Board meeting to allow other vendors to bid as there was erroneous information in the specifications sent out regarding diesel fuel for the Highway Department.

ADD-ONS:

- **Community Survey – Beta research corporation**

The Town of Pound Ridge has been working through the Wastewater Task Force doing a couple of surveys with a State grant and the Wastewater Task Force ran into a stumbling block. Apparently, 15% of the work that would be done by an outside source had to be given to a minority or woman owned business in order to abide by the grant provisions. We were having quite a bit of difficulty in locating a firm. Councilman Dow, a member of the Wastewater Task Force found BETA Research Corporation out of Long Island who qualified to do the Community Survey and the Household Income Survey for Scotts Corner.

Councilman Dow explained what we are trying to do. The Community Survey will be soliciting comments from residents throughout Town about the Business District and their expectations around the Business District trying to explore Wastewater infrastructure improvements might influence enhancement to the Business District. There is also the Household Income Survey intended to go out to a smaller group basically the homeowners and property owners in the Business District to establish their income levels to see if we qualify for certain funding opportunities.

The BETA Research Corporation put together a proposal to do the polling. The Community Survey costs would be \$17, 500 +/- 10% and the Household Income Survey would be \$8,500 + 10%. Back in February, the Town Board did approach the company that did our 1998 Community Survey and they gave a preliminary proposal. On the Income Survey they reached out to a company in upstate New York who also gave a preliminary proposal for the Household Income Survey. Neither of those two groups were MWBE certified by the Department of State.

The Town Board will speak with the Wastewater Task Force to get their approval of this new firm and has granted the Supervisor authority to sign a proposal subject to a price and term negotiation and approval by the Town Attorney.

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RESOLUTION #: 138-16

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

RESOLVED, that the Town Board hereby authorizes Supervisor Lyman to enter into the agreement with BETA Research Corporation to do the Community Survey and the Household Income Survey for a not to exceed cost of \$30,000 and subject to review by our Town Attorney.

- **Discussion of Internship March 15, 2017-June 14, 2017**

Supervisor Lyman received a letter from a student in Germany asking for an internship from March 15, 2017 through June 14, 2017. His name is Lukas Ritzler and Supervisor Lyman explained that we would encourage his internship and he would be welcome to explore all the departments of government in Pound Ridge. It would give him the chance to experience the differences between a German and an American administration. He will be doing this under his University studies in Public Management. Supervisor Lyman will contact Lukas and tell him he is welcome.

- **Recreation Department – donation of parking pass**

RESOLUTION #: 139-16

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

RESOLVED, that the Town Board hereby authorizes the donation of a premium parking pass at the Town House for the 2017 fireworks event to the organizers of the Pound Ridge Elementary School pancake breakfast.

- **Liaison Reports**

Town Board liaisons reported updates on their Boards and Commissions meetings.

FINANCIAL MATTERS:

- **Pace Land Use In-House Training-authorization of payment**

RESOLUTION #: 140-16

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

RESOLVED, that the Town Board hereby authorizes the payment of two thousand five hundred (\$2,500) dollars to John Nolan, Pace University School of Law, who will be providing the training session to be held at the Town House, October 18, 2016. This is a budgeted item.

- **Monthly Reports**

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

- **Pay Bills**

RESOLUTION #: 141-16

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

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:

GENERAL FUND	G		\$95,501.72
HIGHWAY FUND	D		\$59,742.71
TRUST AND AGENCY	T		\$ 97,170.18
CAPITAL	H		\$ 0

ADJOURNMENT: There being no further business to come before the Board, Supervisor Lyman adjourned the regular meeting at 9:30 p.m.

Board Action: Motion by Councilman Paschkes, seconded by Councilwoman Schwartz, all voting aye to reconvene the meeting as Parking District Commissioners.

RESOLUTION #: 142-16

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

WHEREAS, Councilwoman Sullivan has audited claims for payment and has reported that same could be paid, Now, Therefore, Be It

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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		\$ 444.00
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ADJOURNMENT: There being no further business to come before the Board, the meeting was adjourned at 9:35 p.m.

Joanne Pace
Dated at Pound Ridge, New York
October 14, 2016