

MINUTES OF THE JUNE 8, 2017 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/REMINDERS:

- Supervisor Lyman reminded everyone of the Supervisor's Forum with the Boards and Commissions Chairs on Saturday, June 10, 2017 at 10:00 a.m. at the Town House.
- The Road Race will be held on Saturday, July 1st at 9:00 a.m. and the Fireworks event will be held at night on Saturday, July 1st at the Town Park. Parking Permits for residents and non-residents are available at the Town House and available the day of the event at the Police Station from 9:00 -5:00 and after 5:00 at the Town Park and the Pound Ridge Elementary School.

MINUTES: Acknowledge/correct/accept minutes of the Town Board meeting held on June 1, 2017

Board Action: Motion by Councilman Paschkes seconded by Councilwoman Schwartz, all voting aye to accept the minutes of the Town Board meeting held on June 1, 2017

OLD BUSINESS:

- **B and B Legislation**

Counsel Harrington drafted an ordinance for the purpose of identifying and certifying local Bed and Breakfasts in Pound Ridge. There is a national trend for property owners to create a Bed and Breakfast by renting out, on a short-term basis, rooms within their homes to visitors. The premise must be owner-occupied to allow the renting out of rooms. New York State has enacted extensive regulations governing the operation and maintenance of Bed and Breakfasts throughout the state, so Pound Ridge will not be regulating the B and B's but will identify and certify those residential homes being used as such. The residents of the Town who desire to operate a B and B must file with the Town Clerk and the Town Police Department a Bed and Breakfast Registration

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Certification form which identifies the title owner and address and certifies the owner's compliance with all New York State laws applicable to the operation of a Bed and Breakfast facility. This will be done bi-annually. This will allow the Building Inspector to inspect the premises if deemed necessary and will let emergency responders know that there could be additional occupants unfamiliar with the building that could require additional assistance in the event of an emergency. It will also provide the police with the knowledge that there would likely be strangers in the area on a regular basis.

In the draft ordinance, under NOW, THEREFORE, under number 2. the draft read "Failure to file such bi-annual registration or comply with applicable NYS Bed and Breakfast laws shall subject the owner of the premises to a daily fine of \$250.00 commencing from the date the property is used as a Bed and Breakfast without the proper registration." After some discussion, Councilman Paschkes suggested taking out the wording "or comply with applicable New York Bed and Breakfast laws" because in a sense, it is like double dipping if the Town imposes a fine on top of a New York State fine. The Town Board agreed to remove that part of the sentence.

Counsel will re-draft the ordinance and the Town Board will review it and comment on it and schedule a Public Hearing to consider adoption of the new Local Law in September.

Valley Forge Elm Tree-continue discussion on replacement

Supervisor Lyman heard back from the Pound Ridge Nursery regarding the replacement of the Valley Forge Elm Tree that split and had to be removed. They are willing to give us a beautiful Valley Forge Elm and plant it for one thousand two hundred (\$1,200) dollars. It was discussed that this can be paid out of contingency or the Slade Preserve fund. Supervisor Lyman will consult Counsel Harrington on this matter.

RESOLUTION #: 96-17

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

RESOLVED, that the Town Board hereby authorizes the purchase of the Valley Forge Elm Tree from the Pound Ridge Nursery with thanks in the amount of one thousand two hundred (\$1,200) dollars. This includes planting of the tree. The expenditure will come out of either the Slade Preserve Fund or Contingency.

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NEW BUSINESS:

- **Police Department-Reporting on the 2016 Deer Management**

Deputy Supervisor Powers briefed the Town Board on the 2016 Deer Management program saying that Pound Ridge started the program eleven (11) years ago and it has been successful. Over the past eleven years, there have been 679 deer taken. In 2016, there were 23 female deer taken and 12 male deer taken. While the total number of deer taken has decrease, there was a total of 17 car vs deer motor vehicle accidents in 2016. This could be climate related.

There were no significant problems noted; however, there was one incident where two hunters laid out bait and filmed the deer approaching the bait. This is not allowed by DEC regulations and it was immediately reported to the NYS DEC. The DEC appreciated the reporting and will allow Pound Ridge to continue with the deer management program. The number one criteria for the program all along has been safety. They require the hunters to shoot from tree stands and not rile up the neighbors. Pound Ridge has tried to reduce the number of hunters and pair up experienced hunters with those that may need some direction. It is imperative that we continue the program, otherwise, the herd will grow.

- **Conservation Board – discuss Sach’s Park**

Carrie Sears, Conservation Board Chair, wrote a memo to Supervisor Lyman regarding a sapphireberry tree and 20 little saplings growing in Sach’s Park. She consulted Linda Rohleder, director of Lower Hudson Partners in Regional Invasive Species Management, and it was suggested to eradicate it at no cost to the Town. Carrie was unable to attend the Town Board meeting tonight, so we will discuss this further at another meeting.

Add-On: Counsel Harrington had an update on the Steep Slope Ordinance that was amended. He has spoken with Planning Board Counsel Joseph Eriole and it has been determined that there was on omission when adopting the law. It will be referred back to the Planning Board for SEQRA purposes to have them make their environmental significance determination. Councilman Paschkes, liaison to the Conservation Board, asked that it be simultaneously referred to the Conservation Board as well. This will be on the June 22, 2017 Planning Board agenda. Supervisor Lyman encouraged the Town Board members to attend that meeting as he will be out of Town.

RESOLUTION #: 97 -17

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

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RESOLVED, that the Town Board hereby refers the amended Steep Slope Ordinance to the Planning Board for SEQRA purposes to have them make their environmental significance determination in short order. It will be referred to the Conservation Board for their comment.

Counsel Harrington also updated the Town Board on the G.O.A.T. Project. It was adopted last week subject to review/comments from Town Counsel. Counsel Harrington found two issues with the agreement. One is that the vendor, Green Goats, will not sign anything indemnifying the Town and the other is an insurance issue. He has not yet produced the proper liability coverage needed and this can cause potential problems to the Town. Counsel will continue to work with the vendor to rectify this as the Town would like to see the project happen. This will be discussed at a later date.

- **Liaison Reports**

Town Board members gave an update as liaisons to their assigned Boards and Commissions.

FINANCIAL MATTERS:

- **Recreation Department-requesting refunds**

RESOLUTION #: 98-17

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

RESOLVED, that the Town Board hereby authorizes the refund of five hundred (\$500) dollars to Dawn Decker, 28 Old Snake Hill Road, Pound Ridge, NY 10576 for the use of Conant Hall on May 5, 2017 for a BPRB fund raiser, AND BE IT

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

Stacey Cleveland 326 Pinebrook Road Pound Ridge, NY	A2001	\$1,110.00	Cancellation of Camp registration for two children
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- **Receipt of monthly Departmental reports**

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The monthly reports have been received for May 2017 and are available in the Town Clerk's office.

Pay Bills:

RESOLUTION #: 99-17

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

WHEREAS, Councilman Dow 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		\$126,366.81
HIGHWAY FUND	D		\$ 18,718.99
TRUST AND AGENCY	T		\$ 97,467.77
CAPITAL	H		\$0

ADJOURNMENT: There being no further business to come before the Board Supervisor Lyman adjourned the regular meeting at 9:10 p.m.

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

RESOLUTION #: 100-17

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

WHEREAS, Councilman Dow 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		\$ 507.00
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ADJOURNMENT: There being no further business to come before the Board

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Supervisor Lyman adjourned the Parking District meeting at 9:15 p.m.

Joanne Pace

Dated at Pound Ridge, New York

June 9, 2017