

**MINUTES OF THE AUGUST 10, 2021 MEETING OF THE TOWN BOARD OF
THE TOWN OF POUND RIDGE HELD AT THE TOWN HOUSE, 179
WESTCHESTER AVENUE, POUND RIDGE, NY, COMMENCING AT 8:00 PM**

**PRESENT: SUPERVISOR KEVIN HANSAN
COUNCILPERSON ALISON BOAK
COUNCILPERSON DIANE BRIGGS
COUNCILPERSON DANIEL PASCHKES**

ALSO

**PRESENT: DEPUTY SUPERVISOR LES MARON
TOWN ATTORNEY WILLIAM HARRINGTON
TOWN CLERK ERIN TROSTLE**

ABSENT: COUNCILPERSON CARLA BRAND

CALL TO ORDER: Supervisor Hansan called the meeting to order at 8:05 pm.

ANNOUNCEMENTS:

- Thank you to Chief Ryan, the Fire Department, the Recreation Department, the Maintenance Department, and everyone else who assisted with the fireworks.
- Residents are encouraged to check on their neighbors during the heat wave that has been forecast for later in the week.
- There have been a number of bear sightings recently. Please be bear aware!
- The Village Green project has gone out to bid.

MINUTES:

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye, to approve the minutes of the June 8 and July 13, 2021 Town Board meetings.

PUBLIC HEARING:

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye, to open a public hearing on a proposed speed-limit reduction to 25 mph in the Shad Road West neighborhood.

Supervisor Hansan noted that there has been a significant increase in pedestrian activity due to the pandemic and pointed out that the neighborhood in question does not have through traffic because there are no connector roads. Police Chief David Ryan said that because of the lack of connector roads, the people who are

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speeding are residents of the neighborhood, their guests, and commercial vehicles belonging to service providers who work for residents. Traffic studies show that only about 9% of vehicles are exceeding the current speed limit.

Resident Jessica Watts expressed concern for pedestrians and support for a reduced speed limit. Resident Dawn Davidson noted that many pedestrians come from the far side of Long Ridge Road.

Councilperson Boak asked why residents might be opposed to the change. Chief Ryan said that people may view 30 mph as a safe speed limit, not realizing that the police can issue tickets only for drivers who significantly exceed the limit. Ms. Watts said that the only person who criticized the proposal was a longtime resident who seemed to be opposed to change in general.

Resident John McCown said that a lower speed limit is important to protect cyclists. Several residents participating via videoconference also expressed support for lowering the speed limit. Resident Karen Close, who is the parent of two children with autism, noted that she worries about her children wandering into the road, especially since she has observed cars traveling at excessive rates of speed.

Resident Susan Lee said that enforcing the speed limit by issuing tickets to residents would be an effective way to change behavior. Councilperson Paschkes reiterated that people who support the change need to understand that their neighbors, their neighbors' children, and their neighbors' workers will be ticketed.

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye, to close the public hearing.

NEW BUSINESS:

- A. Supervisor – Approve resolution for speed limit reduction in Shad Road West neighborhood**

RESOLUTION 128-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye, on the following:

WHEREAS many of the Town roads west of Long Ridge Road are unique to the Town as they are straight and relatively wide; and

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WHEREAS, as a result of the configuration of such roads, local families and children ride bicycles and partake in other activities on such roads; and

WHEREAS residents of the Town who reside west of Long Ridge Road have requested that the speed limits on such roads be lowered from 30 miles per hour to 25 miles per hour to enhance the safety of residents and visitors; and

WHEREAS, the Pound Ridge Police Department has commented favorably on lowering the speed limit on such roads, NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Pound Ridge as follows:

Section 1. The speed limit on the following roads west of Long Ridge Road is hereby established as 25 miles per hour: Shad Road West, White Birch Road, White Birch Road South, White Birch Lane, Pheasant Road, Pheasant Road West, Robin Hood Road, Gorge Lane, Sherwood Road, Cedar Hill Lane, Fox Hill Road, Calf Pasture Lane, Bob Hill Road, Sunset Lane, Apple Tree Lane, London Road.

Section 2. This resolution shall be effective upon the posting of 25 mile per hour speed limit signs at the above described roads or at the entrances to roads after turning off of Long Ridge Road to travel west.

B. Pound Ridge Fire Department

Fire Chief James Dodge asked that the Town Board consider amending the building code to require a shutoff switch on electric vehicle charging stations. Town Attorney Bill Harrington and Building Inspector Jim Perry will confer regarding language and specifications. In the interim, Chief Dodge will ask Inspector Perry to alert him to any applications for the installation of EV charging stations so that applicants can be made aware of the need for shutoff switches.

C. Finance – Update on YTD financial statements

Director of Finance Steven Conti reported that the town is in good shape at this point. The three significant revenue streams that the town does not control—mortgage tax, sales tax, and state and federal aid—are all above anticipated levels. Only about 40% of budgeted funds have been spent to date.

D. Highway – Ratify decision made in executive session to hire Archer Sgaglio

RESOLUTION 129-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Paschkes, all voting aye, on the following:

RESOLVED, that the Town Board ratifies the decision made in Executive Session to hire Archer Sgaglio as a mechanical equipment operator effective August 16, 2021.

E. Justice Court

- **Approval to attend annual court clerk conference**

RESOLUTION 130-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye, on the following:

RESOLVED, that the Town Board authorizes the Court Clerk to attend the Annual Court Clerk Conference in Albany September 12-15, 2021, at a cost of \$1,089.52.

- **Ratify decision made in Executive Session to appoint Renée Motola**

RESOLUTION 131-21

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye, on the following:

WHEREAS a vacancy has arisen in one of the two Town of Pound Ridge Town Justice positions due to the passing of the Honorable Ira Clair; and

WHEREAS that vacancy shall be filled through the election to be held in November 2021, with the winner of that election taking office on January 1, 2022; and

WHEREAS, in the interim, pursuant to Town Law, Section 64, the Town Board has the authority to appoint a qualified individual to serve in the position of Town Justice through January 1, 2022, and

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WHEREAS the Town Board has considered a number of candidates to fill the position and has determined that there is a need to fill the vacant position in the interim; and

WHEREAS the Town Board has been particularly impressed by the temperament, credentials, and experience of Renée Motola; IT IS HEREBY

RESOLVED, that Renée Motola be appointed to the position of Town Justice for the Town of Pound Ridge until such time as that vacancy is filled through the election of the Town Justice.

F. Open Space Acquisition Committee – Ratify decision to appoint Kenneth Creed and Andrew Lehman

RESOLUTION 132-21

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, all voting aye, on the following:

RESOLVED, that the Town Board hereby ratifies the decision made in Executive Session to appoint Kenneth Creed and Andrew Lehman as members of the Open Space Acquisition Committee, each for a one-year term.

G. Supervisor

- **Approve resolution regarding settlement of Glascott tax assessment challenge**

RESOLUTION 133-21

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Boak, all voting aye, on the following:

WHEREAS, on October 6, 2020, Petitioner James and Deirdre Glascott (“Petitioner”) filed a proceeding pursuant to Article 7-A of the New York State Real Property Tax Law seeking judicial review of the 2020 assessment of the parcel known as Block 9317 Lot 39.2-11; AND

WHEREAS the Court issued a decision in the SCAR proceeding sustaining the 2020 assessment, which decision was entered by the County Clerk’s office on May 12, 2021 (the “Decision”); AND

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WHEREAS, subsequent to the Court's Decision, representatives for the Petitioner and the Town spoke and agreed that notwithstanding the SCAR trial, the proper valuation of the property required additional information and consideration; AND

WHEREAS, in light of the information provided by the Town's independent appraiser, the Town has determined that the appropriate value for the property is \$3,400,000.00; NOW, THEREFORE, IT IS HEREBY

STIPULATED AND AGREED, by and between the Petitioner and the Town, that in consideration of Petitioner not filing an Article 78 proceeding, the Petitioner and the Town agree that the Decision in this matter should be vacated; AND IT IS FURTHER

STIPULATED AND AGREED by and between the Petitioner and the Town that the 2020 assessment on the referenced tax parcel be as follows:

REDUCED FROM: \$810,000.00
TO: \$647,700.00
A REDUCTION OF: \$162,300.00

IT IS FURTHER STIPULATED AND AGREED that the municipal officials having custody of the assessment rolls shall correct the assessment roll to conform to the Stipulation, and that if any taxes were paid based on the "reduced from" assessment indicated above, a refund of the taxes paid on the amount of the reduction of the above-mentioned assessment shall be made to the representative on behalf of the Petitioner, who is to hold the proceeds as trust funds for appropriate distribution, and who is to remain subject to the further jurisdiction of the Court with regard to its attorney's lien, pursuant to Judiciary Law §475; AND IT IS FURTHER

AGREED that this stipulation constitutes a "decision" for the purposes of Section 739 of the Real Property Tax Law; AND IT IS FURTHER

AGREED that this Stipulation represents full settlement of the Small Claims Assessment Review proceeding and that no costs or allowances shall be awarded or paid to, by, or against any of the parties.

- Authorize application to NYSDOT for use of state-owned property

RESOLUTION 134-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye, on the following:

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RESOLVED, that the Town Board hereby authorizes the Supervisor to apply on its behalf and on behalf of the Town to the New York State Department of Transportation for a permit to use state-owned property at 205 Westchester Avenue for the purpose of providing access to an extension of the recreation path.

I. Sustainable Westchester – Approval to execute MOU

RESOLUTION 135-21

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Briggs, all voting aye, on the following:

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the memorandum of understanding with Sustainable Westchester for the renewable supply option.

J. Town Clerk

- **Approve sale of cemetery plot**

RESOLUTION 136-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves the sale of Plot 204 in Section 3 (two gravesites) to S. Lawrence and Marilyn S. Brotmann, of 47 Hack Green Road, Pound Ridge, at a price of \$2,000.00.

- **Approve Special Use Permit for Chabad of Bedford**

RESOLUTION 137-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Paschkes, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves a Special Use Permit for Chabad of Bedford to install a menorah at the Barnwell Center from November 28, 2021 through December 6, 2021.

- **Approve Special Use Permit for Pound Ridge Historical Society**

RESOLUTION 138-21

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Paschkes, all voting aye, on the following:

RESOLVED, that the Town Board hereby approves a Special Use Permit for the Pound Ridge Historical Society to bury a time capsule on the grounds of the Town House on September 25, 2021, at an event to include one or two properly inspected food trucks, with transportation to and from overflow parking at the Town Park to be provided by the N2N bus at PRHS expense.

K. Recreation

RESOLUTION 139-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Paschkes, all voting aye, on the following:

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

<u>Name</u>	<u>Address</u>	<u>Amount</u>	<u>Reason</u>
Colleen Moore	48 Horseshoe Hill Road Pound Ridge, NY 10576	\$30.00	swim lesson refund
Suzanne Novak	50 High Ridge Road Pound Ridge, NY 10576	\$130.00	specialty camp refund
Randi Neglia	208 Harris Road CB4 Bedford Hills, NY 10507	\$860.00	non-resident camp fee

L. Tax Receiver – Authorize refunds

RESOLUTION 140-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye, on the following:

RESOLVED, that the Town Board hereby authorizes the following refunds for the parcel designated as Section 6, Block 9316, Lot 18.9:

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<u>Tax Year</u>	<u>New Assessment</u>	<u>Change</u>	<u>Rate</u>	<u>Refund</u>
2020	\$1,015,300.00	\$384,700.00	\$15.7395	\$6,054.99
2021	\$914,400.00	\$485,600.00	\$16.0574	\$7,797.48

M. Planning Board – Authorize return of unused escrow funds

RESOLUTION 141-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye, on the following:

RESOLVED, that the Town Board hereby authorizes the return of the following unused escrow funds:

<u>Name</u>	<u>Address</u>	<u>Block & Lot</u>	<u>Amount</u>
Abby Simpson	115 Barnegat Road	9457-5	\$2,900.00
Simon Krinsky	66 Eastwoods Road	9824-5	\$1,780.00

N. Water Control Commission

RESOLUTION 142-21

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Briggs, all voting aye, on the following:

RESOLVED, that the Town Board hereby authorizes return of the following Water Control Commission bonds:

<u>Bond</u>	<u>Block & Lot</u>	<u>Address</u>	<u>Amount</u>
2021-21	9825-4	84 Old Mill River Road	\$1,000.00
2021-12	9318-45.2	25 Lower Shad Road	\$10,000.00

O. Resident John McCown

Town Resident John McCown suggested that the board consider a revaluation of commercial properties only, not residential properties, since it is permissible to have different rates for commercial and residential properties.

P. Liaison Reports

Councilperson Boak reported that the Water Wastewater Task Force is waiting for the engineering firm that won the bid to review the contract. Councilperson Briggs congratulated the Recreation Department on a successful camp season and noted that flag football season starts soon for grades 1-12.

FINANCIAL MATTERS: Pay Bills

In advance of the meeting, Councilperson Brand provided the Supervisor with a memo stating that she had reviewed the bills and that they were in order. The memo also indicated that there were no Parking District bills.

RESOLUTION 143-21

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all in favor, on the following:

RESOLVED, that the Supervisor is hereby authorized to pay the claims listed below.

Fund	Claim Numbers	Total Amount
General Fund	685–756	\$106,110.84
Highway Fund	154–160	\$19,295.10
Trusts & Agency	60–73	\$34,379.00
Capital Projects	2-3	\$47,991.50

Councilperson Paschkes suggested that the September meetings be rescheduled from September 7 and 14, 2021, to September 14 and 21, 2021, to avoid a conflict with Rosh Hashanah.

ADJOURNMENT: There being no further business to come before the Board, Supervisor Hansan adjourned the meeting at 10:50 pm.

Erin Trostle, Town Clerk
Dated at Pound Ridge, New York
September 13, 2021