

MINUTES OF THE MAY 9, 2023 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, NEW YORK, AND VIA ZOOM VIDEOCONFERENCE, COMMENCING AT 8:00 PM

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

ALSO

PRESENT: TOWN ATTORNEY WILLIAM HARRINGTON (via Zoom videoconference)
DEPUTY SUPERVISOR LES MARON
TOWN CLERK ERIN TROSTLE

I. CALL TO ORDER OF REGULAR MEETING

Supervisor Hansan called the meeting to order at 8:02 pm.

II. ANNOUNCEMENTS

- Residents are reminded that the restriction on the commercial use of gas-powered leaf blowers will be in effect May 15, 2023 through October 15, 2023. More information is available on the Town website.
- The Bedford Central School District's trustee election and budget vote will be held next Tuesday, May 16, from 7:00 am to 9:00 pm. Our voting location is Pound Ridge Elementary School.
- The Pound Ridge Garden Club is hosting a plant sale fundraiser at the Green on Friday and Saturday, May 12 and 13, 2023, from 10:00 am to 3:00 pm.
- The Town-Wide Tag Sale is coming up May 19-21, 2023. Those interested in participating should contact Lisa Miller at The Cottage for more details.
- Memorial Day is approaching, and the parade and ceremony will start at 12:00 noon on Monday, May 29, 2023.
- The Westchester County Mobile Shredder will be at the Town House from 10:00 am to 1:00 pm on Thursday, June 1, 2023. Residents may bring up to four bankers' boxes of paper per household for shredding.

III. NEW BUSINESS

A. Highway Department – Permission to hire part-time flaggers

RESOLUTION 127-23

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

RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to hire two part-time summer flaggers.

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B. Finance

1. Authorization of bond resolution

RESOLUTION 128-23

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

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; AND

WHEREAS, it is now desired to authorize the financing of such capital purposes; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Pound Ridge, Westchester County, New York (the "Town"), as follows:

- Section 1. For paying the cost of the reconstruction or resurfacing of various Town roads, a class of objects or purposes with an estimated maximum cost of \$1,000,000, in and for the Town, including incidental expenses in connection therewith, there are hereby authorized to be issued \$1,000,000 bonds of said Town pursuant to the provisions of the Local Finance Law.
- Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of the \$1,000,000 bonds of said Town authorized to be issued pursuant to this bond resolution.
- Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision twenty of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.
- Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.
- Section 5. The faith and credit of said Town are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property of said Town a tax

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sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters relating to such bonds shall be determined by the Supervisor, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, when it takes effect, shall be published in summary in *The Record Review*, the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is adopted subject to permissive referendum.

2. Authorization to purchase new multifunction copier

RESOLUTION 129-23

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

RESOLVED, that the Town Board hereby authorizes the purchase of Konica Minolta BizHub 650i at a cost of \$10,671.70.

C. Recreation Department

1. Approval to install water fountain at Town Park

RESOLUTION 130-23

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

RESOLVED, that the Town Board hereby authorizes the installation of a multifunctional water fountain at the Town Park, which has been approved by the Recreation Commission, with funding to be provided by the Pound Ridge Partnership.

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2. Request for refunds

RESOLUTION 131-23

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

RESOLVED, that the Town Board hereby authorizes the refund of Conant Hall deposits in the amount \$500.00 each to Barbara Araujo and Alessandra Hernandez.

3. Authorization to purchase t-shirts and pint glasses

RESOLUTION 132-23

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

RESOLVED, that the Town Board hereby approves the purchase of camp and pool apparel and road race t-shirts and pint glasses from Diamondback Sportswear at a cost of \$7,914.50.

4. Awarding of pool liner contract

RESOLUTION 133-23

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

RESOLVED, that the Town Board hereby authorizes the engagement of Natara Corporation to install liners for the two larger pools at a cost of \$304,669.00, subject to review and approval of the contract by the Town Attorney.

5. Approval for new concession vendor agreement

RESOLUTION 134-23

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

RESOLVED, that the Town Board hereby awards a one-year contract to operate the concession stand at the Town Park to Robert Hayes, subject to finalization of the terms of the contract by the Town Attorney, with financial terms equal to or more favorable than those in the 2022 contract.

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6. Approval for equipment purchase

RESOLUTION 135-23

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

RESOLVED, that the Town Board hereby approves the purchase of concession equipment at a total cost of \$17,101.94, to be installed to code at no additional cost.

D. Supervisor – Authorization to execute intermunicipal agreement

RESOLUTION 136-23

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 sign the intermunicipal agreement for Enhanced 911 service.

E. Town Board – Acceptance of donated sculpture

The matter was tabled and will be revisited at a future date.

F. Town Clerk

1. Approval for cemetery plot sale

RESOLUTION 137-23

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

RESOLVED, that the Town Board hereby approves the sale of Plot 53-1 in Section 3 (one gravesite) to former Pound Ridge resident Mitchell L. Kahn, of 45 Sunset Trail, PO Box 432-CI, New Fairfield, CT 06812.

2. Adoption of updated special event permit form

RESOLUTION 138-23

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

RESOLVED, that the Town Board hereby approves the adoption of an updated special event permit form.

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3. Approval for use of cashless fee collection system at Recycling Center

RESOLUTION 139-23

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

RESOLVED, that the Town Board hereby approves the use of the Square platform to collect dumpster fees at the Recycling Center.

4. Approval for amendment to special event permit

RESOLUTION 140-23

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

RESOLVED, that the Town Board hereby approves a change to the Special Event Permit previously issued to the Pound Ridge Partnership for its summer concert series such that the June 18 concert is rescheduled to begin at 11:00 am and end at 12:00 noon.

G. Conservation Board

1. Appointment of Melinda Avellino as chair

RESOLUTION 141-23

Board Action: Motion by Councilperson Briggs, 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 Melinda Avellino as chair of the Conservation Board.

2. Appointment of Annie Fernald

RESOLUTION 142-23

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 Annie Fernald as a member of the Conservation Board.

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H. Planning Board – Presentation on proposed Zoning Code change

RESOLUTION 143-23

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

RESOLVED, that the Town Board hereby authorizes the publication of the proposed Zoning Code changes, AND BE IT FURTHER

RESOLVED, that the Town Board will call for a public hearing on the proposed changes on June 13, 2023.

I. Water Control Commission – Bond release

RESOLUTION 144-23

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

RESOLVED, that the Town Board hereby authorizes the release of Water Control Commission Bond #2022-46 in the amount of \$1,000.00 to Chris Ytuarte, of 122 Old Stone Hill Road, Pound Ridge.

J. Liaison Reports

Councilperson Paschkes noted the need for scheduling information for the Open Space funding referendum. Town Attorney Harrington suggested that the matter be addressed at the July Town Board meeting. Councilperson Paschkes said that the Open Space Acquisition Committee would likely make a presentation at one of the two meetings in June.

Councilperson Boak asked, on behalf of the Human Rights Advisory Committee, that a date be selected for an in-person diversity, equity, and inclusion training session. A tentative date of September 12, 2023 was suggested.

Councilperson Brand announced that the Conservation Board will soon celebrate its fiftieth anniversary with an exhibit at the library and a reception on a date to be determined.

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K. Financial Matters – Pay bills

RESOLUTION 145-23

Board Action: Motion by Councilperson Paschkes, seconded by Councilperson Boak, the motion passing 4-0 with Councilperson Brand abstaining, on the following:

RESOLVED, that the Supervisor is hereby authorized to pay the following claims:

Fund	Claim Numbers	Total Amount
General Fund	282–387	\$92,341.89
Highway Fund	59–86	\$30,485.24
Trust & Agency	31–36	\$10,412.50

IV. ADJOURNMENT: There being no further business to come before the Board, Supervisor Hansan adjourned the meeting at 9:24 pm.

V. RECONVENE AS PARKING DISTRICT COMMISSION: Supervisor Hansan called the meeting to order at 9:25 pm.

RESOLUTION 146-23

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, the motion passing 4-0 with Councilperson Brand abstaining, on the following:

RESOLVED, that the Town Board hereby authorizes the Supervisor to pay the following claims:

Fund	Claim Numbers	Total Amount
Parking District	1	\$856.25

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VI. ADJOURNMENT: There being no further business to come before the Board, Supervisor Hansan adjourned the meeting at 9:15 pm.

Erin Trostle, Town Clerk
Dated at Pound Ridge, New York
June 5, 2023