

MINUTES OF THE MARCH 5, 2024 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE HELD AT 179 WESTCHESTER AVENUE, POUND RIDGE, NEW YORK, AND VIA ZOOM VIDEOCONFERENCE, COMMENCING AT 7:30 PM

PRESENT: SUPERVISOR KEVIN HANSAN
DEPUTY SUPERVISOR/COUNCILPERSON DIANE BRIGGS
COUNCILPERSON ALISON BOAK
COUNCILPERSON DANIEL PASCHKES
COUNCILPERSON NAMASHA SCHELLING

ALSO

PRESENT: TOWN ATTORNEY WILLIAM HARRINGTON (via Zoom)
TOWN CLERK ERIN TROSTLE

I. CALL TO ORDER OF REGULAR MEETING: Supervisor Hansan called the meeting to order at 7:34 pm.

II. CALL FOR EXECUTIVE SESSION

Supervisor Hansan called for an executive session to be held on Tuesday, March 12, 2024 at 7:00 pm.

III. ANNOUNCEMENTS

- The Conservation Board's semi-annual Repair Café will be held at PRES on Saturday, March 16, from 11:00 am to 3:00 pm. Building Inspector Jim Perry will be available to provide advice on permitting and related matters, and local architect James Best will answer questions regarding remodeling and renovation.
- The annual PRES Pancake Breakfast is set for Saturday, March 23, from 8:00 am to 12:00 noon.
- The Recreation Department's Easter Egg Hunt will follow the Pancake Breakfast, from 12:30 pm to 3:30 pm, at the Town Park. In addition to the egg hunt, there will include photos with the Easter Bunny, a bouncy house, a DJ, and food trucks. In the event of inclement weather, the festivities will be relocated to Conant Hall.
- The Human Rights Advisory Committee will host a screening of "Twelve Years a Slave" at the Bedford Playhouse on Saturday, March 23 at 1:00 pm. Tickets are available on the playhouse website.
- Councilperson Boak noted that within the next few weeks, representatives of a survey firm will be conducting the previously approved income study in the business district. The study is intended to collect information that may be used to document the town's eligibility for grant funding.
- Councilperson Briggs noted that many local businesses have reported decreased traffic recently and encouraged residents to make an effort to shop locally.

IV. MINUTES

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Boak, all voting aye to approve the minutes of the February 13, 2024 Town Board meeting.

V. NEW BUSINESS

A. Public Participation at Town Board meetings

Resident Nick Cianciola Sr., of 29 Autumn Ridge Road, made a presentation regarding a formal procedure for public participation at Town Board meetings. He pointed out that most nearby municipalities have such formal procedures, noting that North Salem does not, because there public participation is allowed on an informal basis throughout meetings. He also observed that many neighboring municipalities allow comments on their official Facebook pages.

Mr. Cianciola then proposed a procedure that would limit public participation to two sections of each agenda – one for general comments near the beginning of the meeting, and a second for comments on new business agenda items at the end of the meeting. He then asserted that residents are not allowed to speak at Town Board meetings unless they submit a request to the Supervisor five days in advance and called for Town Board members unwilling to support his proposal to resign.

Supervisor Hansan thanked Mr. Cianciola for his input. He noted that until recently meetings have been run similarly to North Salem's, with public comment allowed on an informal basis throughout, but stated that he likes the idea of a more formal procedure. He indicated that more research is needed regarding the role of Zoom.

Councilperson Briggs also thanked Mr. Cianciola for his presentation. She indicated that she supports public comment and public engagement. She objected to claims that the Town Board has conspired behind closed doors.

Councilperson Paschkes took exception to Mr. Cianciola's claim that the Town Board has not been open to resident input. Pointing out that he has served alongside Supervisors Simpkins, Warshauer, and Lyman, as well as Supervisor Hansan, Councilperson Paschkes stated that throughout his tenure, the Town Board has taken an informal approach to public participation similar to North Salem's, and he objected to the idea that the Town Board is attempting to take action without public participation or public oversight.

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Mr. Cianciola reiterated his call for a formal procedure for resident comment, and Councilperson Paschkes stated that he did not believe there was any objection to such a formal procedure. Supervisor Hansan stated that much resident input is now received via email.

Resident Richard Mendes, of 30 Peters Lane, stated that in his nearly thirty-five years in Pound Ridge, he has never seen any evidence of any attempt to act in secret by any administration and that he has never encountered any difficulty with being recognized or commenting in a Town Board meeting.

Resident Alberto Araya, of 20 Trinity Pass, asserted that Town Board members are held to “a higher standard” than residents are.

Resident Steven Kushner, of 98 Upper Shad Road, asked what the follow up to the presentation would be. Supervisor Hansan indicated that he has no issue with a formal procedure for public comment and said that he would consult the Association of Towns to ensure that best practices are followed.

Councilperson Briggs noted that the Association of Towns advises municipalities to disable public comment on social media. Councilperson Paschkes stated that the town’s social media policy is unrelated to public participation in meetings.

Resident Catherine Nathan, of 155 Upper Shad Road, asked whether formalizing public participation by adding specific agenda items would change the “five-day rule.” Councilperson Paschkes clarified that there is no requirement that residents contact the Supervisor five days in advance of the meeting in order to ask a question or make a comment; that is necessary only if residents would like to request that a topic be added to the agenda.

Resident Calli Hayes, of 4 Brook Farm Circle, asserted that recently it has not seemed as if the board welcomed public comment. Councilperson Paschkes repeated that he supports a formal procedure for public comment, especially if implementing such a procedure through the addition of specific agenda items makes residents feel that their input is welcomed.

Resident Melinda Avellino, of 16 Pine Drive, reiterated that the town website requires residents to contact the Supervisor five days in advance of the meeting only if they wish to request the addition of an agenda item, not to comment.

B. Finance Department

1. Audit Management Letter

Resident Alex Goldfarb, of 21 Patterson Road, asked why the management letter mentions improper revenue recognition due to fraud and management override of internal controls. Director of Finance Steven Conti explained that those items refer to the scope of the audit, not the findings of the audit. The auditors tested for those issues but did not find them.

RESOLUTION 58-24

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

RESOLVED, that the Town Board hereby accepts the external auditors' letter to management in connection with the 2021 audit.

2. Expense Reimbursement Policy

RESOLUTION 59-24

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

RESOLVED, that the Town Board hereby amends paragraph 2 of Section 407 of the Personnel Handbook to read as follows:

Expense Approval — Each employee is expected to exercise reasonable judgment when incurring charges that will be submitted for reimbursement. Prior approval from the department Head and/or Town Board will be required for significant or non-standard expenditures. Based on New York State and Federal guidelines for Westchester County, meal reimbursements are limited to the following amounts:

- Breakfast \$17
- Lunch \$18
- Dinner \$34

For events that have meals included, there is no reimbursement for meals. The Town Board reserves the right to reject reimbursement requests that are deemed unreasonable or inappropriate.

C. Recreation Department – Pool deck repairs

RESOLUTION 60-24

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

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RESOLVED, that the Town Board hereby authorizes the expenditure of \$37,450 for pool deck repairs to be performed by Strongman Services; AND BE IT FURTHER

RESOLVED, that the town board authorizes the transfer of \$10,850 from the General Fund to cover a portion of the needed repairs.

D. Highway Department – Purchase of trailer

RESOLUTION 61-24

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

RESOLVED, that the Town Board hereby authorizes the expenditure, as budgeted, of \$10,722.52 for the purchase of a Highway Department trailer.

E. Police Department

1. Purchase of Taser 7

RESOLUTION 62-24

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

RESOLVED, that the Town Board hereby approves the expenditure, as budgeted, of \$16,590 for the purchase of the Taser 7; AND BE IT FURTHER

RESOLVED, that the Town Board approves the related update to the Police Department procedure manual.

2. Reimbursement for repair

RESOLUTION 63-24

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

RESOLVED, that the Town Board hereby approves the expenditure of \$5,250 for the replacement of an engine in a Police Department vehicle.

F. Town Clerk

1. Highway materials and Scotts Corners maintenance bids

RESOLUTION 64-24

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

RESOLVED, that the Town Board hereby authorizes the Town Clerk to seek bids for Highway Department materials and for maintenance services in Scotts Corners.

2. Cemetery plot sales

RESOLUTION 65-24

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

RESOLVED, that the Town Board hereby approves the sale of the following cemetery plots:

<u>Plot(s)</u>	<u>Price</u>	<u>Purchaser</u>
213-B, Section 2 (2 gravesites)	\$2,000	Edward and Mary Anne Condon 101 Trinity Pass Road, Pound Ridge
213-A1, Section 2 (1 gravesite)	\$1,000	George and Catherine Daubek 23 Fox Run Road, Pound Ridge
1-6, Section 3 (10 gravesites)*	\$10,000	Gregory Manocherian 42 South Bedford Road, Pound Ridge

*Plot 1, which is an irregularly shaped partial gravesite of little use to anyone except the owner of the adjacent plot, is not included in the number of gravesites indicated.

3. Courtroom tables

RESOLUTION 66-24

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

RESOLVED, that the Town Board approves the expenditure of \$24,850 for the construction of courtroom tables by David John Burgess, Woodworker.

G. Conservation Board – Big Spring Clean

RESOLUTION 67-24

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

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RESOLVED, that the Town Board authorizes the Conservation Board’s Big Spring Clean proposal for the Big Spring Clean, a project consisting of the collection of roadside litter and recyclables by residents on the weekend of April 13 and 14 and pickup from residents’ driveways by the Highway Department on Monday, April 15.

H. Open Space Acquisition Committee – Appointment of Sacha Spitzer

RESOLUTION 68-24

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

RESOLVED, that the Town Board hereby appoints Sacha Spitzer as a member of the Open Space Acquisition Committee.

I. Water/Wastewater Task Force

Councilperson Boak described the Water/Wastewater Task Force’s request to issue a Request for Qualifications (RFQ) to obtain proposals from engineering firms. Next steps would be to determine the best qualified firm and to obtain a proposal from that firm to provide specific services. There would be no cost associated with issuing the RFQ. The matter was tabled, to be revisited at the March 19, 2024 meeting.

Supervisor Hansan then asked if there were any additional comments from the public on any of the agenda items discussed in the meeting. There were none.

VI. Financial Matters – Pay bills

RESOLUTION 69-24

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

RESOLVED, that the Town Board hereby authorizes the Supervisor to pay the following claims as detailed in Abstract 04-2024:

Fund	Claim Numbers	Total Amount
General Fund	A00183–A00226	\$107,528.18
Highway Fund	D00036–D00038	\$13,547.99

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AND BE IT FURTHER RESOLVED, that the following advance-of-audit claim listed in Abstract 04-2024 is hereby allowed:

Fund	Claim Numbers	Total Amount
General Fund	A00227	\$150,000.00

VII. ADJOURNMENT: There being no further business to come before the Board, Supervisor Hansan adjourned the meeting at 9:34 pm.

Erin Trostle, Town Clerk
Dated at Pound Ridge, New York
March 18, 2024