

MINUTES OF THE DECEMBER 2, 2010 MEETING OF THE TOWN BOARD OF THE TOWN OF POUND RIDGE AND PUBLIC HEARINGS HELD AT THE TOWN HOUSE, 179 WESTCHESTER AVENUE, POUND RIDGE, N.Y., COMMENCING AT 8:00 P.M.

PRESENT: SUPERVISOR GARY WARSHAUER; COUNCIL MEMBERS:
DANIEL PASCHKES, PETER FALCO AND PAUL McCONVILLE

ALSO PRESENT: TOWN ATTORNEY, JAMES J. SULLIVAN, ESQ.
DEPUTY TOWN CLERK, CAROLE WOLLENWEBER
DEPUTY SUPERVISOR, JONATHAN POWERS

ABSENT: COUNCILMAN RICHARD LYMAN

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

ANNOUNCEMENTS:

- The continuation of the Public Hearing on the T-Mobile application for a cell tower at the Ambulance Corps property in Scotts Corners will be held on Monday, December 13, 2010 at 7:00 p.m. at Conant Hall.
- Supervisor Warshauer reminded everyone that the Pound Ridge Lions Club will host their annual Holiday Luncheon in Honor of Billy Fortin for his dedicated service to our residents and community at Le Chateau, Sunday, December 5, 2010 at 12:30 p.m. Supervisor Warshauer will prepare a proclamation for Billy.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Falco, all voting aye authorizing Supervisor Warshauer to write a proclamation for Billy Fortin.

MINUTES: Acknowledge/correct/accept minutes of Town Board Meetings of November 18, 2010 and Work Session of November 24, 2010.

The minutes will be acknowledged at the December 13, 2010 joint Town Board and Planning Board meeting.

PUBLIC HEARING: To consider and act upon the adoption of the 2011 Budget

Board Action: Motion by Councilman McConville, seconded by Councilman Falco, all voting aye to open the Public Hearing to consider and act upon the adoption of the 2011 Budget.

Supervisor Warshauer opened the Public Hearing at 8:15 p.m. Notice of Public Hearing appeared in the November 19, 2010 issue of the Record Review, the Town's official newspaper. Steve Conti, Director of Finance, presented a power point presentation of the 2011 Budget. The budget shows the appropriations are approximately \$7.28 million and revenues of \$2.21 million and an appropriated fund balance of \$500,000. This results in a 3.37% tax increase. The appropriations decreased 2.02 % and there were no increases of salaries for employees. Revenues increased 2.84% and the Town decreased the

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appropriated Fund Balance by \$350,000 or 41.18% to make it \$500,000. The taxable value decrease is .03%. Steve continued to read the Highlights of the 2011 Budget which is detailed below. Supervisor Warshauer explained that there are a couple of things that we cannot control. One would be the Retirement contributions. There is still a drop on the revenue side with sales tax and the mortgage recording tax revenue. Supervisor Warshauer said that this is a very responsible budget in very difficult financial times. We are conservative with the budget every year. We still have a healthy Fund Balance. The Town Board, Steve Conti, as well as the entire Town staff, has worked very hard to make the 2011 budget as efficient as they possibly could. It is a balanced budget. Steve Conti summarized the budget as follows:

General Fund appropriations - \$5,011,104

Highway Fund appropriations - \$2,082,792

Land Reserve appropriations - \$ 185,432

Total Proposed Town Budget \$7,279,328, of which we have revenues of \$2,213,945 and Fund Balance of \$500,000; which leaves the Town \$4,565,383 to be raised by taxes. The tax rate for 2010 was 11.4212 and is 11.8101 for 2011. The Land Reserve Fund is \$.50 per \$1,000 assessed value and will be \$185,432 in 2011.

The 2011 Budget Highlights are as follows:

GENERAL & HIGHWAY FUNDS COMBINED:

Appropriations Decreased = -2.02% (-\$146,003)

No Salary Increases for Town Employees

Estimated Revenues Increase = -2.84% (\$61,210)

Appropriated Fund Balance Decrease = -41.18% (-\$350,000)

Taxable Value Decrease (Town-Wide Assessments) = -0.03% (-\$1,435)

Taxable Increase over 2010 Adopted Budget = 3.37% (\$142,787)

APPROPRIATIONS:

Repayment of Bonds - \$80,000

Repayment of Installment Debt - \$87,000

GIS - \$5,000

COMMUNITY SERVICES:

Advanced Life Support Ambulance - \$97,195

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Senior Support Programs & Van Service - \$32,700

Recycling Program - \$14,500

Fireworks and Road Race - \$26,500

Open Space Acquisition Fund - \$185,432

CAPITAL IMPROVEMENTS:

Building Maintenance -\$30,000

EQUIPMENT:

No new major equipment or vehicle purchases

Steve explained that Town taxes are about 10.2% of the total taxes; school taxes are 67.4% and County taxes are 18.6%. The chart actually shows the 2010 budget because we don't know what the County budget is yet. Sales Tax is slowly increasing but the Town opted to use last year's rate and kept it the same at \$600,000. The State Aid Mortgage Tax increased from \$300,000 to \$360,000. Steve explained that the Retirement payments have increased approximately 15% from 2010 as well as Worker's Compensation New York State Surcharges increasing.

Richard Hooker, MEO with the Highway Department, spoke briefly explaining all that the Highway personnel do for the Town. They are on call 7 days a week 365 days a year. He basically was requesting the Town Board to revisit the option of giving a raise to the employees because expenses keep going up and it is very hard to keep up when salaries remain at a 0% increase.

Supervisor Warshauer said that the Town Board absolutely appreciates everything that the Highway Department does for the Town but the times are not as they were in the past. A great portion of our revenue has disappeared. We do have a Fund Balance but we cannot use it to gap fill. We have to be very conservative. We are starting to see a slight increase in the Mortgage Tax and the Sales Tax and hope we don't have to continue to give 0% increases in the future, but for now, it is the smartest thing to do. This was a very hard decision, but it is a balanced budget.

Josina van der Maas, So. Bedford Road, said that she is a retiree and is very sympathetic to Richard Hooker's plea. Social Security hasn't gone up for two years yet her expenses are increasing. She is struggling but there aren't many alternatives. We all have to tough it out for a while. She asked what it would mean to the taxpayer if a 2% increase was given to the employees and Steve said it would mean approximately \$30.00 more per household. She feels that the Town Board should consider giving the raise because a \$30.00 increase would be doable.

Lisl Steiner-Monchek, resident, commented that the Town should give the increase to the Highway Department instead of adding sidewalks or having fireworks.

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Some discussion took place regarding the pay schedule for the Bedford Central School System teachers. There is a lot of concern regarding the increase in their salaries and the portion of our taxes that go to the school budget. The Town Board was asked if they could intervene and express this concern, but unfortunately, the only way we can do anything about it is to get out there and vote. We can all try to participate more by going to their meetings and speaking up.

Michael Rodriguez, MEO at the Highway Department, said that the open dialogue was greatly appreciated; however, he strongly feels that the Town Board should consider giving the Highway Department raises. He feels that the Town could separate them from the General staff and reconsider.

Councilman Falco said that the Town Board did look into giving the raises to the employees and that is the reason Steve had an answer to what the increase would mean to the taxpayers. In the end, it was a tough balance. There is no easy solution due to the fact that there are large increases to our health benefits and the retirement system.

Richard Hooker disagreed and said the opposite. He feels it is a real hardship with the increase in our health premiums costing the employee more out of their paycheck and a 0% increase in salary.

Councilman Paschkes commented that he does not support this budget. He would rather not see an increase in taxes and reduce the staff instead. In light of where our economy is and the reduction in revenue, it makes sense to reduce staff combined with drawing from the Fund Balance.

Jon Powers, Deputy Supervisor, commented that this is a balanced budget and the Town Board worked very hard not to lay people off. He feels that if an employee was laid off, the department would feel it. We have a lot of efficiency and you really can't reduce personnel.

Richard Hooker said that the Town Board has reached out to all the employees to try to cut costs and feels that the Town Board should reach out to the Bedford Central School District and address the high cost of the school budget

Councilman McConville is in favor of this budget.

Supervisor Warshauer also mentioned that because of the proposition on Open Space, the tax levy will be \$.50/\$1,000 of assessed value in 2011 which will be a small reduction in taxes.

Board Action: Motion by Councilman McConville, seconded by Councilman Falco, all voting aye to close the Public Hearing to consider and act upon the adoption of the 2011 Budget.

RESOLUTION #: 207 -10

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Board Action: Motion by Councilman McConville, seconded by Councilman Falco, the Board polled with Councilman Falco, aye, Councilman McConville, aye, Councilman Paschkes, nay and Supervisor Warshauer, aye motion passing 3-1 on the following:

RESOLVED, that the Town Board hereby adopts the 2011 Budget as proposed.

Supervisor Warshauer thanked the employees and the Town Board for all their input and help in preparing the 2011 budget.

NEW BUSINESS:

Sustainability Task Force – request that the Town Board execute the Town of Pound Ridge section of the “Proposal to Provide Sustainability Services for Seven Municipalities in the Northern Westchester Energy Action Consortium”, pursuant to the multi-town grant received from NYSERDA

This was discussed in Work Session and Counsel Sullivan reviewed the agreement. He doesn't see what benefit it is to us. He commented that no where does it say that the collected data is the Town's data. He suggested, if the Town Board decides to execute this agreement, they should definitely get a confirmation that whatever data is developed relating to this Town is our data.

Councilman Paschkes said that they did discuss this in Work Session and he suggests adding language to Paragraph 8 in the contract: Rights to Contracted Work, clarifying the fact that the Town retains the right to the data. Counsel Sullivan reminded the Board that the contract is closed at this point and amendments cannot be made, however, it is better to put the question forward to get an answer which they can do.

Councilman Paschkes is also concerned about the rate of pay for any additional work. It is the issue of defining and limiting the scope of any work that they might be asked to do in the future outside the agreement so that it not be open-ended. Supervisor Warshauer said that it is in the Appendix. The letter that the Town Board writes to them should include a statement that they will not incur any costs outside the scope above the approved grant without Town Board authorization.

RESOLUTION #: 208 -10

Board Action: Motion by Councilman Paschkes, seconded by Councilman Falco, the Town Board polled and motion passing 3-1 with Councilman McConville voting nay, on the following:

RESOLVED, that the Town Board hereby approves the Proposal to Provide

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Sustainability Services for Seven Municipalities in the Northern Westchester Energy Action Consortium”, pursuant to the multi-town grant received from NYSERDA subject to the Supervisor clarifying the issue of obtaining the data collected and a statement that they will not incur any costs outside the scope above the approved grant without Town Board authorization.

Recreation Department – request authorization to purchase lounge chairs for use by residents at the Town Pool

RESOLUTION #: 209-10

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

RESOLVED, that the Town Board hereby authorizes the request of David Goldberg, Recreation Supervisor, to purchase 24 chaise lounge chairs, 5 club chairs and 14 stacking high-back sand chairs for the Town Pool in the amount of \$4,999.69.

Highway Department – appointment of Highway Assistant General Foreman

RESOLUTION #: 210-10

Board Action: Motion by Councilman McConville, seconded by Councilman Falco, all voting aye on the following:

RESOLVED, that the Town Board hereby appoints James Hunter to the position of Assistant General Foreman for the Highway Department effective December 2, 2010. His rate of pay will be \$37.2595 per hour. The recommendation comes from Highway Superintendent, Vincent Duffield, in a memo dated November 10, 2010.

Justice Court – request for schedule adjustments

The Court Clerk, Sonia Mercado-Jimenez, is requesting permission to extend her 2010 vacation days into 2011. The reason is to not disrupt coverage in the Court Office. There are two issues regarding this matter. The Assistant Court Clerk, Cindy Burchetta, requested reducing her hours worked to 32 hours per week versus 35 hours per week to work part time at another Town’s office. After some discussion, it was agreed that this should be discussed in Executive Session immediately following this meeting.

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CALL FOR EXECUTIVE SESSION:

Board Action: Motion by Councilman Falco, seconded by Councilman McConville, all voting aye to hold an Executive Session immediately following the Town Board meeting for a personnel matter.

FINANCIAL MATTERS:

Receiver of Taxes – Requests authorization for refunds

RESOLUTION #: 211-10

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

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

Faith Ministries, P.O. Box 1186, Melville, N.Y. 11747, Block 10542-1, in the amount of \$544.33 due to overpayment of 2010 Town/County taxes,
Avaliani, 171 Salem Rd., Block 10053-11, in the amount of \$73.03 due to overpayment,
Landau, 104 Cross Pond Rd., Block 10263-36, in the amount of \$3,473.01 due to duplicate payment.

Recreation Department-Requesting authorization for refunds

RESOLUTION #: 212-10

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

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

Pamela Grilli 28 Scofield Rd. Pound Ridge, N.Y. 10576	\$125.00 from A2001	Withdrawal of child from basketball program
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ADJOURNMENT: There being no further business to come before the Board, Supervisor Warshauer adjourned the regular meeting at 10:20 p.m.

Joanne Pace
Dated at Pound Ridge, New York
December 6, 2010

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