

MINUTES OF THE DECEMBER 4, 2014 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 RICHARD LYMAN; COUNCIL MEMBERS: DANIEL PASCHKES, ALISON BOAK, JONATHAN POWERS AND BONNIE SCHWARTZ

ALSO PRESENT: TOWN CLERK, JOANNE PACE
TOWN ATTORNEY, WILLIAM P. HARRINGTON

CALL TO ORDER: Supervisor Lyman called the meeting to order at 8:00 p.m.

CALL FOR EXECUTIVE SESSION:

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

MINUTES: Acknowledge/correct/accept minutes of the Town Board meeting held on November 13, 2014

Board Action: Motion by Councilman Powers, seconded by Councilwoman Schwartz, all voting aye to accept the minutes of the Town Board meeting held on November 13, 2014.

PUBLIC HEARING: To consider adoption of the 2015 Town Budget

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye to open the Public Hearing to consider adoption of the 2015 Town Budget.

Steve Conti, Director of Finance, reviewed the highlights of the 2015 Town Budget as follows:

General Fund appropriations - \$ 5,778,506
Highway Fund appropriations - \$ 1,915,474
Land Reserve - \$ 184,457
Total Proposed Town Budget \$7,878,437 of which we have revenues of \$2,437,000 and Fund Balance of \$186,000; which leaves the Town \$5,255,435 to be raised by taxes. The tax rate for 2014 was 13.6662 and is 13.7457 for 2015.
The 2015 Budget Highlights are as follows:

GENERAL & HIGHWAY FUNDS COMBINED:

Appropriations Increased = 4.03% (\$298,284)
Estimated Revenues Increase = 5.54% (\$128,000)
Appropriated Fund Balance Increase = \$186,000
Tax Rate Increase from General/Highway = 0.58%

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Tax Rate Increase including Land Reserve = 2.37%

APPROPRIATIONS:

Repayment of Bonds = \$147,190

Repayment of BAN's = \$122,500

Health Insurance = \$978,000

NYS Retirement= \$470,000

CAPITAL IMPROVEMENTS:

Road Maintenance - \$200,000

New Vehicle for Highway Department - \$40,000

New Police Vehicle = \$40,000

New Maintenance Vehicle = \$40,000

Engineering = \$40,000

Supervisor Lyman explained that the Town is staying under the 2% tax cap in 2015. The fund balance should remain flat and this is a true balanced budget.

Record shows that there weren't any comments from the audience or Town Board on the 2015 Budget.

The Parking District Budget shows 0% increase. It is basically the same as 2014 with the real property taxes being \$41,300.00 and Capital Improvements being budgeted for \$15,000.00 and maintenance and repairs being budgeted at \$15,000.00.

Supervisor Lyman thanked Steve Conti, Director of Finance, and his fellow Town Board members for a great job with the 2015 budget.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye to close the Public Hearing to consider adoption of the 2015 Budget.

PUBLIC HEARING: To consider overriding the New York State imposed Tax Cap for the 2015 Town Budget

Board Action: Motion by Councilwoman Boak, seconded by Councilman Powers, all voting aye to open the Public Hearing to consider overriding the New York State imposed Tax Cap for the 2015 Town Budget.

Supervisor Lyman explained that in order to override the 2% Tax Cap, the Town would have to adopt a Local Law to exceed the percentage. Through hard work and planning, the Town is able to keep it under the 2% tax cap for 2015.

Board Action: Motion by Councilman Paschkes, seconded by Councilman Powers, all voting aye to close the Public Hearing to consider overriding the New York State imposed Tax Cap for the 2015 Town Budget.

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RESOLUTION #: 185-14

Board Action: Motion by Councilwoman Boak, seconded by Councilman Powers, all voting aye on the following:

RESOLVED, that the Town Board hereby adopts the 2015 Town Budget and Parking District Budget as presented.

NEW BUSINESS:

• **Maintenance Department-purchase plow for Kubota tractor**

Ray Andretta received three quotes for a Boss Power XT plow for the department's Kubota tractor as follows:

- Arroway Tractor \$4000.00
- Westchester Tractor \$3967.00
- Pine Bush Equipment \$3700.00

RESOLUTION #: 186 -14

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

RESOLVED, that the Town Board hereby authorizes Ray Andretta, Maintenance Foreman, to purchase a Boss Power XT plow for the Kubota Tractor from Pine Bush Equipment in the amount of \$3700.00 as it is the lowest bid.

• **Finance Department-authorization to attend the 2015 GFOA Annual Conference**

RESOLUTION #: 187 -14

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

RESOLVED, that the Town Board hereby authorizes Steve Conti, Director of Finance, to attend the annual 2015 GFOA Conference in Philadelphia, May 31-June3, 2015. The cost of the conference is \$380.00 plus travel expenses. Costs shall not exceed \$1,200.00 and it will be taken out of line A1310.405.

• **Approve contract for Fireworks for Friday, July 3, 2015**

RESOLUTION #: 188 -14

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Board Action: Motion by Councilwoman Boak, seconded by Councilman Powers, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the contract for fireworks with Zambelli Fireworks Manufacturing Co. for July 3, 2015 in the amount of \$7,500.00 with the amendment of paragraph 14 on the advice of our Town Attorney. The rain date is scheduled for July 5, 2015.

- **Discuss In Rem proceedings on Tax Liens**

Counsel Harrington stated that New York State Tax Law encourages municipalities to bring *In Rem* foreclosure proceedings when there are parcels with delinquent tax payments for periods of two (2) years or more. Formal proceedings provide notices to the property owners and the bank and are filed with Westchester County Clerk. There is a period of time that the property owners can redeem their taxes or enter into a settlement agreement with the Town up to five years, along with a statutory interest rate of 12%. In addition to a settlement agreement to pay the delinquent taxes over an agreed upon period, they must stay current with their present taxes.

RESOLUTION #: 189-14

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

RESOLVED, that the Town Board hereby authorizes the Town Attorney, William P. Harrington, to commence the proceedings for tax years 2011 and prior with a budget for legal fees not to exceed five thousand (\$5000) dollars.

- **Discuss grant application for EPA Environmental Assessment Grant**

Councilwoman Boak explained that the U.S. Environmental Protection Agency's (EPA) Brownfields Program is offering an annual grant to municipalities to work together in a timely manner to assess and safely clean up a contaminated parcel. There are two separate grants, one for the assessment and one for the clean up. There is one parcel in Town (77 Westchester Ave.) that needs assessment; so Councilwoman Boak is suggesting applying for the level one assessment grant. It is a paper review to see what potential petroleum, chemicals or other hazardous materials that might have contaminated the lot. The funding is available up to \$200,000 with no matching component for the Town. The application needs to be in by December 19, 2014. It will also cover some of the administrative costs to the Town. We can apply for the funding and hire consultants to conduct the phase one assessment. There will be no clean up with this grant. If we discover that the amount of the clean up on that parcel exceeds the value

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of the property, the Town can withdraw the *In Rem* proceeding. It is low risk to the Town to apply for the funding.

RESOLUTION #: 190-14

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

RESOLVED, that the Town Board hereby authorizes Supervisor Lyman to sign and execute the application for the Phase One Assessment Grant with the EPA Brownfields Program upon it's completion by Councilwoman Boak with the assistance of Supervisor Lyman and Town Attorney Harrington.

- **Discussion about December 26, 2014 and January 2, 2015**

RESOLUTION #: 191-14

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

RESOLVED, that the Town Board hereby agrees to suspend work operations on Friday, December 26, 2014 and Friday, January 2, 2015 because the previous Thursday are Federal Holidays. The above days are not to be treated as "holidays" now or in the future as this is a one time event. Employees who are called into work for weather related duties or for any other reason requiring them to report to work will do so at the applicable pay rates, not time and a half.

FINANCIAL MATTERS:

- **Recreation Department – authorization to refund deposits**

RESOLUTION #: 192 -14

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

RESOLVED, that the Town Board hereby authorizes the refund of five hundred dollars (\$500) to Kirstin Zarras, 12 Old Logging Road, Bedford, NY 10506 for the use of Conant Hall on November 22, 2014, for a birthday party. The premises were inspected and found to be in acceptable condition.

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- **Finance Department- requesting to issue a Bond Resolution authorizing financing for equipment cost**

Steve Conti, Director of Finance, is requesting authorization to issue a Bond Resolution in the amount of \$550,000 for equipment costing for the 2014-2016 Budgets (2 Highway Dump Trucks, 3 Police cars, 2 Pickup Trucks and Network upgrades.

RESOLUTION #: 193 -14

Board Action: Motion by Councilman Powers, seconded by Councilwoman Boak, all voting aye on the following:

RESOLVED, that the Town Board hereby authorizes Steve Conti, Director of Finance, to issue a Bond Resolution in the amount of \$550,000 to pay the cost of the acquisition of vehicles and equipment for Highway Maintenance purposes, acquisition of Police passenger vehicles and the acquisition of computer and communication equipment subject to Town Attorney's review.

ADJOURNMENT: There being no further business to come before the Board, the meeting was adjourned at 9:00 p.m.

Joanne Pace
Dated at Pound Ridge, New York
December 8, 2014