

MINUTES OF THE JULY 2, 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 NAMASHA SCHELLING

ALSO

PRESENT: TOWN ATTORNEY WILLIAM HARRINGTON
TOWN CLERK ERIN TROSTLE

NOT

PRESENT: COUNCILPERSON DANIEL PASCHKES

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

II. EXECUTIVE SESSION

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Boak, all voting aye to call for an executive session at 6:30 pm on Tuesday, July 16, 2024.

III. ANNOUNCEMENTS

- Thank you to the Fire Department and the Police Department for another successful July 4 celebration.
- The Town House will be closed this Thursday, July 4, 2024, in observance of Independence Day.
- The next Food Truck Friday will be July 19, 2024, from 5:00 to 9:00 pm.

IV. MINUTES

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, all voting aye to approve the minutes of the June 11, 2024 meeting.

V. PUBLIC COMMENT I

Resident John McCown, of 25 Miller Road, reiterated his statement, which he had made previously, in the June 11, 2024 meeting, that water district cost estimates and other numbers in the map, plan and report prepared by Laberge Group are inaccurate.

Resident Ellen Kearns, of 125 Brook Farm Road East, reported that a staff member at the Westchester County Department of Health told her that building owners in the proposed water district can submit site-specific designs for point-of-entry systems

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involving carbon filters or reverse osmosis. She said installing POE systems in the business district would be a less expensive way to address PFAS contamination than a centralized approach.

Resident Norman Bernstein, of 2 Pheasant Road, expressed the view that the proposed public water system will necessitate creation of a wastewater treatment system and that moving forward with those two systems will create an environmental and financial mess. He asked that the Town Board not move forward with the water district plan.

Resident Scott Fernqvist, of 39 Westchester Avenue, who is the owner of one of the three single-family homes in the proposed water district, expressed opposition to the formation of the proposed water district. He urged the Town Board to vote no on the district or at least to delay action until property owners can be better informed.

Resident Alex Goldfarb, of 21 Patterson Road, asked a number of questions related to water district formation, which he said had not been answered, including the question of whether redevelopment of the business district is being planned. He urged that the Board consider less expensive solutions to water and wastewater problems.

Resident Donna Simons, of 22 Westchester Avenue, one of the properties included in the proposed water district, expressed opposition to the establishment of the district. She stated that the figures in the Laberge map, plan and report for her property do not accurately reflect current water usage. She asked that the project be tabled.

Resident Nicholas Cianciola, Sr., of 29 Autumn Ridge Road, read a statement on behalf of Nicholas Tunick, the owner of 26 Westchester Avenue, which expressed opposition to the water district project and stated that figures in the Laberge report do not accurately reflect current usage for his property.

Mr. Cianciola asked that a public forum to discuss the proposed water district be scheduled within the next three weeks and that there be an independent audit of the figures in the Laberge report.

Supervisor Hansan stated that we are at the beginning of the district formation process and that there will be ample opportunity for additional education and public comment. He said that elevated PFAS levels have been identified at multiple locations, not just two, and that the DEC will be doing additional testing to try to pinpoint a source of the contamination beginning July 8.

In response to statements by Ms. Kearns, Councilperson Boak noted that it is possible that there may be different points of view within the Department of Health.

VI. NEW BUSINESS

A. Legislative update

State Senator Shelley Mayer, who is Chair of the Education Committee, reported that efforts to increase foundation aid to the Bedford Central and Katonah-Lewisboro Central School Districts have been successful. Public hearings on the foundation aid formula will be held soon, and residents may submit written comments. She also reported the passage of bills encouraging every board of education to have a non-voting student member and requiring that every school have a student government.

Senator Mayer noted that although Governor Hochul's proposed Housing Compact was defeated last year, it will be important to develop locally appropriate solutions to increase the amount of affordable rental housing.

Finally, she reported that in response to increases in the incidence of anti-Semitism and anti-Asian and anti-Muslim violence, additional crimes have now been defined as hate crimes, with correspondingly severe penalties. Penalties for retail theft have also been increased by permitting the aggregation of multiple instances of theft.

Assemblymember Chris Burdick reported that there is still a need to find a way to provide capital funding for the MTA, given that congestion pricing has been suspended.

He said that the most important accomplishment of the legislative session was the implementation of the "hold harmless" provision, which will prevent levels of state funding for school district from decreasing. He noted passage of both the Child Data Protection Act and the Safer Kids Act, which aim to protect children from algorithmic online feeds.

Other successful legislation will require polluters to pay for climate action, ensure the availability of electric vehicle charging in public lots, expand the food donation and scraps program, and allow for absentee ballot drop boxes. Also, the legislature took steps to begin the process of increasing the number of Supreme Court justices, which will alleviate the backlog of cases in the state court system.

Assemblymember Burdick continues to advocate for legislation that will allow municipalities to prevent pesticide use in wetlands connected to public water systems.

Legislation was passed to require that healthcare professionals ask patients if they have a disability that requires accommodation and to promote employment for people with disabilities.

Despite cuts in other areas, the current state budget maintains the current level of CHIPS funding. Pound Ridge is slated to receive approximately \$186,000.

Assemblymember Burdick said that he and Senator Burdick continue to work to address local capital funding needs through grants, including \$125,000 secured for improvements at the Town Park.

He reiterated Senator Mayer's remarks about the need to find ways to diversify housing options that are consistent with community character.

Councilperson Boak noted a connection between clean water and affordable housing: a recent income survey shows that the median income in the proposed water district is relatively low, at approximately \$70,000.

Mr. McCown asked whether the relative affluence of most Pound Ridge residents negatively impacts the town's chances of receiving grant funding. Assemblymember Burdick responded that each grant program has its own scoring criteria and that while income levels may be a significant factor, that is not always the case. Senator Mayer agreed that different grants are scored differently; while some grants are targeted toward lower-income communities, not all are.

Mr. Goldfarb asked whether grant funding may be tied to state mandates in areas such as affordable housing. Assemblymember Burdick reiterated his and Senator Mayer's commitment to push back against top-down housing mandates.

Mr. Bernstein observed that some grants may have pernicious effects and restated his opposition to the drinking water project. Senator Mayer and Assemblymember Burdick emphasized that they will only advocate for state grant funding for projects with local support.

Councilperson Briggs said that attempts to address elevated PFAS levels have just begun and that there will be further discussion and education. She also noted that many property owners spoke in favor of the proposed water district at the June 11, 2024 meeting.

Resident John Nathan, of 155 Upper Shad Road, asked whether there would be an opportunity to reintroduce bills to reopen the cannabis opt-out period. Senator Mayer said that it is possible to reintroduce legislation but that the likelihood of success is low. She indicated that she is open to having a conversation about this.

Supervisor Hansan asked Senator Mayer to discuss efforts to raise the earnings cap for part-time retired police officers. Senator Mayer described proposed legislation that would have addressed this issue for Pound Ridge and other small communities. The legislation did not pass due to the potential impact on the state pension system, but efforts to address the issue are ongoing.

Mr. Cianciola asked whether Senator Mayer would support the drinking water project. Senator Mayer indicated that she does not have a say in the matter but will work to support the project if that is the preference of the community.

B. Water Wastewater Taskforce

1. Ratification and reaffirmation of SEQR negative declaration, water district formation, and bond resolutions

RESOLUTION 167-24

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

WHEREAS the Pound Ridge Town Board (“Board”) is proposing to undertake a project involving provision of public drinking water to Scotts Corners (“Project”) to address a public health threat associated with contamination found in private water wells including but not limited to perfluoroalkyl and polyfluoroalkyl substances (PFAS), tetrachloroethylene (PCE), and methyl tert-butyl ether (MTBE); AND

WHEREAS the State Environmental Quality Review Act (“SEQRA”) and the regulations thereunder require the Board to undertake a review of the potential environmental impacts, if any, associated with the Project before approving same; AND

WHEREAS this Project is an Unlisted action within the meaning of SEQRA; AND

WHEREAS, Part 1 of the Short Environmental Assessment Form was transmitted to all involved agencies, together with notification of the Board’s desire to act as lead agency with respect to the environmental review of the proposed Project; AND

WHEREAS all involved agencies have consented to the Board acting as lead agency with respect to the environmental review of the proposed Project; and

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WHEREAS, 6 NYCRR Section 617.7 requires a lead agency to issue a written determination of significance with respect to any proposed Unlisted action; AND

WHEREAS the Board has carefully considered the nature and scope of the proposed Project, as set forth in the Short Environmental Assessment Form prepared with respect to such action; NOW, THEREFORE, BE IT

RESOLVED that the Board finds and concludes that the proposed action is an Unlisted action within the meaning of 6 NYCRR 617.2(a1); AND BE IT FURTHER

RESOLVED that the Board hereby declares itself the Lead Agency with respect to the environmental review of the proposed Project; AND BE IT FURTHER

RESOLVED that upon consideration of the foregoing, review of the Long Environmental Assessment Form, the criteria contained in 6 NYCRR § 617.7(c), and all other supporting information, the Board finds and concludes that the proposed action will not result in any significant adverse impacts to the environment for the reasons set forth in Part 3 of the Long Environmental Assessment Form, Attachment A – Reasons Supporting This Determination; AND BE IT FURTHER

RESOLVED that the Board hereby issues a Negative Declaration with respect to the proposed action; AND BE IT FURTHER

RESOLVED that the Supervisor, Town Clerk, and Town Special District Attorney are hereby authorized to notify all necessary agencies or entities of this determination.

RESOLUTION 168-24

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

WHEREAS, the Town Board of the Town of Pound Ridge (herein called the “Town Board” and the “Town”, respectively), in the County of Westchester, New York, pursuant to Town Law Article 12-A, has asked Laberge Group, competent engineers duly licensed by the State of New York, to prepare a map, plan and report for the establishment of Scotts Corners Water District (the “District”), which map, plan and report entitled: “Scotts Corners Water District Map, Plan and Report” and dated May 2024 (the “Report”), is on file at the office of the Town Clerk and is available for public inspection during regular business hours; AND

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WHEREAS, the proposed District will contain approximately 39 parcels; AND

WHEREAS, the boundaries of the proposed District shall be as described in Exhibit A attached hereto and hereby incorporated herein; AND

WHEREAS, the improvements proposed for the District to connect to the water supply owned and operated by the Aquarion Water Company (described as Alternative No. 1 in the Report), consist of the acquisition and construction of a water main, valves, meter pit, hydrants, a treatment building and original equipment, machinery, apparatus, appurtenances, service lateral connections from the water main to the property or easement line, and incidental improvements and expenses in connection therewith, all as more fully described in the Report (collectively, the "Water Improvements"); AND

WHEREAS, the estimated maximum cost of said improvements is \$11,129,000; AND

WHEREAS, the District plans to apply for (i) a Water Infrastructure Improvement (WIIA) grant from the New York State Environmental Facilities Corporation ("EFC") and (ii) low-interest financing from EFC through its Drinking Water State Revolving Fund (DWSRF) program; AND

WHEREAS, it is the intention of the Town to make the establishment of the District contingent upon the award of a WIIA grant and financing assistance from EFC; AND

WHEREAS, the proposed plan of financing (described as Scenario 3 in the Report) includes (i) a WIIA grant for approximately 70% of the estimated maximum cost and (ii) the issuance of up to \$3,340,000 of bonds and/or notes of said Town to be financed through EFC's DWSRF program, assumed at an interest rate of 3% for a period of 30 years; AND

WHEREAS, the costs of the proposed District will be apportioned based upon the equivalent dwelling unit (EDU) of each property in the proposed District, with each parcel being initially assigned an EDU as set forth in Appendix I of the Report (a single-family home being assigned an EDU of 1, and the commercial properties in the District having EDUs ranging from 1 to 50); AND

WHEREAS, assuming the District receives the grants and financing from EFC as described above, the annual user cost per EDU is approximately \$856.00, which comprises a debt service cost of \$590.00 and an operation and maintenance cost of \$266.00, assuming the property does not exceed its designated EDU usage; AND

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WHEREAS, assuming the District receives the grants and financing from EFC as described above, the expected average annual cost to the typical property (as such term is defined in Article 12-A of the Town Law) in the proposed District will be approximately \$2,568.00 (for a commercial property with an EDU of 3) and the annual cost to the typical one-family home in the proposed District will be approximately \$856.00 in the first year in which operation, maintenance, and other charges and expenses are to be paid by said properties, as described in Section VIII of the Report; AND

WHEREAS, there is no proposed hook-up fee imposed by the District but each property owner will be responsible for the one-time cost associated with the installation of and connecting to the water lateral that will be constructed by the project and installation of the Town-supplied water meter and setter, which cost will depend on the actual length of the service line and the complexity of installation; AND

WHEREAS, pursuant to an Order Calling for a Public Hearing dated May 21, 2024, which Order was duly posted and published, the Town Board held a public hearing on June 11, 2024, to consider the establishment of said District and the improvements proposed therefor, at which hearing all members of the public were given an opportunity to be heard; AND

WHEREAS, the Water Improvements have been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, the Town Board has determined will not result in any significant adverse impacts on the environment and a SEQRA Negative Declaration was adopted by the Town Board on July 2, 2024; AND NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined as follows: (a) the notice of hearing was published and posted as required by law and is otherwise sufficient; (b) all the property and property owners within said proposed District are benefited thereby; (c) all the property and property owners benefited are included within the limits of said proposed District; and (d) the establishment of said proposed District is in the public interest.

Section 2. The establishment of the Scotts Corners Water District in the Town of Pound Ridge, Westchester County, New York, as described in the Report, the boundaries of which shall be as described in Exhibit A attached hereto and hereby made a part hereof, is hereby approved.

Section 3. The estimated maximum cost of the Water Improvements is \$11,129,000, and the Town expects to pay for such project by applying for grant(s) and low-interest financing from EFC, including for (i) a WIIA grant for approximately 70% of the estimated maximum cost and (ii) low-cost financing for up to \$3,340,000 through EFC's DWSRF program.

Section 4. The cost of the Water Improvements attributable to the benefited properties in the proposed District will be \$3,340,000, which amount is to be financed by the issuance of bonds and/or notes of said Town in an amount not to exceed \$3,340,000, and shall be annually apportioned and assessed upon the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal and interest on said bonds, notes or other obligations issued to finance such cost as the same become due.

Section 5. Such costs of the proposed District will be apportioned based upon the equivalent dwelling unit (EDU) of each property in the proposed District. Each parcel will be initially assigned an EDU as set forth in Appendix I of the Report.

Section 6. This resolution is adopted subject to permissive referendum. The Town Clerk shall, within ten (10) days after the adoption date of this resolution, publish in the official newspaper and post on the official signboard of the Town, a notice which shall set forth the date of adoption of this resolution and the full text hereof.

Section 7. The establishment of the District is subject to approval by the State Comptroller under Article 12-A of the Town Law. The Town Supervisor is hereby authorized and directed to execute any such application to the State Comptroller and the Town Clerk is authorized to perform any filings necessary under Article 12-A of the Town Law.

APPENDIX A

The following is intended to describe the bounds of the proposed Scotts Corners Water District within the Town of Pound Ridge, Westchester County, New York as shown on the map entitled "Scotts Corners Water District, Figure 1A - Water District Boundary Map" prepared by Laberge Group and dated April 18, 2024. The district is comprised of a single contiguous area:

Beginning at a Point located at the intersection of the northerly bounds of Westchester Avenue and the westerly bounds of Tax Map Parcel 9454-36, and continuing northerly along said easterly bounds to a point located with the intersection of the southerly bounds of Parcel 9454-18;

Thence easterly, along the northerly bounds of the following Parcels: 9454-36, 9454-5, and 9454-6;

Thence southerly, along the easterly bounds of Parcel 9454-6 to the intersection with the northerly bounds of Parcel 9454-35;

Thence south-easterly, along the northern bounds of Parcel 9454-35 to its intersection with the northwestern bounds of Parcel 9454-10;

Thence north-easterly, along the northwestern bounds of parcel 9454-10 to its intersection with the westerly bounds of Trinity Pass Road;

Thence south-easterly along the westerly bounds of Trinity Pass Road to a point directly west from the northwesterly corner of Parcel 9456-1.9; Thence easterly across the bounds of Trinity Pass Road to its intersection with the northerly bounds of Parcel 9456-1.9;

Thence easterly, southerly and westerly around the bounds of Parcel 9456-1.9 to its intersection with the northerly bounds of Westchester Avenue;

Thence southerly across Westchester Avenue to the northerly bounds of Parcel 9455-25;

Thence easterly along the northern bounds of Parcels 9455-25 and 9455-26 to a point directly south of Parcel 9456-4;

Thence across the bounds of Westchester Avenue to its intersection with the north-westerly bounds of Parcel 9456-4;

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Thence northerly and easterly along the northerly bounds of Parcel 9456-4 and 9456-5 to the westerly bounds of Parcel 9456-13;

Thence southerly along said bounds to the northwest corner of Parcel 9456-7;

Thence easterly along the northern bounds of Parcel 9456-7 to its intersection with the westerly bounds of Parcel 9456-9;

Thence southerly along the easterly bounds of Parcel 9456-7 to its intersection with the northerly bounds of Parcel 9456-8;

Thence easterly along the northerly bounds of Parcel 9456-7 to the its intersection with the westerly bounds of Parcel 9456-9;

Thence southerly along the easterly bounds of Parcel 9456-7 to the northerly bounds of Westchester Avenue;

Thence south-westerly across Westchester Avenue to the north-easterly corner of Parcel 9455-10;

Thence southerly to the easterly bounds of Parcel 9455-9;

Thence westerly along the southern bounds of the following Parcels: 9455-10, 9455-13, and 9455-14;

Thence south-westerly along the easterly bounds of Parcel 9455-20 to its intersection with the eastern corner of Parcel 9455-18.9;

Thence westerly along the southerly bounds of Parcel 9455-27 to its intersection with the easterly bounds of Parcel 9455-17;

Thence northerly along the westerly bounds of Parcel 9455-27 to its intersection with the southerly bounds of Parcel 9455-26;

Thence westerly along the southerly bounds of Parcel 9455-26 to the south-easterly corner of Parcel 9455- 22;

Thence northerly and westerly along the easterly and northerly bounds of Parcel 9455-22 to its intersection with the easterly bounds of Lower Trinity Pass Road;

Thence northerly along the easterly bounds of Lower Trinity Pass Road to a point easterly of the southeasterly corner of Parcel 9320-65;

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Thence crossing Lower Trinity Pass Road to said corner;

Thence westerly along the southerly bounds of Parcel 9320-65 to its intersection with the easterly bounds of Trinity Lane;

Thence north-westerly across Trinity Lane to the south-easterly corner of Parcel 9320-56;

Thence westerly, northerly and easterly along the bounds of Parcel 9320-56 to the south-westerly corner of Parcel 9320-58;

Thence north-easterly along the westerly bounds of Parcel 9320-58 to its intersection with the southerly bounds of Westchester Avenue;

Thence crossing Westchester Avenue to a point on the southerly bounds of Parcel 9454-7;

Thence from said point, westerly along the southern bounds of Parcels 9454-7, 9454-6, 9454-5, and 9454- 36 to the Point and Place of Beginning.

RESOLUTION 169-24

Board Action: Motion by Councilperson XXX, seconded by Councilperson XXX, the motion passing 4–1 with Councilperson XXX voting no, on the following:

WHEREAS, pursuant to a resolution dated July 2, 2024, the Town Board of the Town of Pound Ridge approved the establishment of the Town of Pound Ridge Scotts Corners Water District, subject to permissive referendum and the approval of the State Comptroller; AND

WHEREAS, the Town wishes to apply for a grant from the New York State Environmental Facilities Corporation for the improvements proposed for the Scotts Corners Water District (the “District”) to connect to the water supply owned and operated by the Aquarion Water Company, consisting of the acquisition and construction of a water main, valves, meter pit, hydrants, a treatment building and original equipment, machinery, apparatus, appurtenances, service lateral connections from the water main to the property or easement line, and incidental improvements and expenses in connection therewith (collectively, the “Water Improvements”), all as more fully described in the map, plan and report entitled: “Scotts Corners Water District Map, Plan and Report” and dated May 2024 (the “Report”); AND

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WHEREAS, according to the Report, the estimated maximum cost of the Water Improvements is \$11,129,000 and the Town expects to pay for such project by applying for or obtaining the following funding sources: (i) a Water Infrastructure Improvement (WIIA) grant from the New York State Environmental Facilities Corporation ("EFC") for approximately 70% of the estimated maximum cost and (ii) the issuance of up to \$3,340,000 of bonds and/or notes of said Town to be financed through EFC's Drinking Water State Revolving Fund program; AND

WHEREAS, the Town does not plan on undertaking the Water Improvements unless a grant from EFC is expected; AND NOW, THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying for a portion of the costs of the various water improvements for Scotts Corners Water District, in said Town, and related and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$3,340,000 bonds of said Town pursuant to the provisions of the Local Finance Law. **No obligations authorized hereby shall be issued until the Town shall complete proceedings under Article 12-A of the Town Law and the Town has received notification of an adequate grant award from EFC. No expenditure for the aforesaid class of objects or purposes shall be made unless the State Comptroller has consented thereto if required by the Town Law.**

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$11,129,000 and that the plan for the financing thereof is by (i) the issuance of the \$3,340,000 bonds of said Town authorized to be issued pursuant to this bond resolution and (ii) grants from EFC or other sources.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision one 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

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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 of Town of Pound Ridge, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. To the extent not paid from the collection of assessments against benefited property in the District, 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 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 of Town of Pound Ridge, Westchester County, New York, 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 Town Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he 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 Town 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. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Town Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by

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said Town Supervisor consistent with the provisions of the Local Finance Law.

Section 9. The Town Supervisor is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of this Town Supervisor.

Section 11. All other matters, except as provided herein relating to such bonds, 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, shall be determined by the Town Supervisor. 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 12. 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 13. 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.

Section 14. This resolution shall take effect immediately.

Mr. McCown asked what date would be used to determine the deadline for submitting petitions for permissive referendum on water district formation and was told that it would be July 2, 2024. Mr. McCown then asked when petition forms would be available. The Town Clerk indicated that she had submitted the forms to the Town Attorney for his review and approval.

C. Highway Department

1. Culvert pipe purchases

RESOLUTION 170-24

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

RESOLVED that the Town Board hereby approves the purchase of two orders of culvert pipe, one not to exceed \$3,000.00 and the other for \$3,528.30, both to be funded from budget line 5110.0400, as budgeted.

2. Appointment of Connor Kenealy

RESOLUTION 171-24

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

RESOLVED that the Town Board hereby appoints Connor Kenealy to the position of Mechanical Equipment Operator (MEO) in the Highway Department, effective July 3, 2024.

D. Recreation Department – Purchase of AED

RESOLUTION 172-24

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

RESOLVED that the Town Board hereby approves the purchase of an automatic external defibrillator (AED), at a cost of \$2,438, for the teen travel camp program.

E. Town Clerk

1. Special event permit for Artisan & Vintage Flea

RESOLUTION 173-24

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

RESOLVED that the Town Board hereby approves a special event permit for the Pound Ridge Business Association's Artisan and Vintage Flea market, to be held on September 2, 2024.

2. Special Event Permit for Trivia Night

RESOLUTION 174-24

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

RESOLVED that the Town Board hereby approves a special event permit for Trivia Night, to be held on August 10, 2024, at the Village Green.

3. Standard Workday Resolution

RESOLUTION 175-24

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

RESOLVED that the Town Board hereby establishes the following standard work days for the following titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

| NAME | TITLE | CURRENT TERM | STANDARD WORK DAY | ROA RESULT | PAY FREQUENCY |
|--------------------|----------------------|-------------------|-------------------|-------------|---------------|
| Kevin Hansan | Town Supervisor | 01.01.24-12.31.25 | 6 hours | 31.06 hours | biweekly |
| Matthew Brotmann | Town Justice | 01.01.24-12.31.27 | 6 hours | 1.70 hours | biweekly |
| Renée Motola | Town Justice | 01.01.22-12.31.25 | 6 hours | 1.50 hours | biweekly |
| William Harrington | Town Attorney | 01.01.24-12.31.24 | 6 hours | 2.31 hours | biweekly |
| John Loveless | Deputy Town Attorney | 01.01.24-12.31.24 | 6 hours | 3.00 hours | biweekly |
| Drifa Segal | Receiver of Taxes | 01.01.22-12.31.25 | 7 hours | 21.67 hours | biweekly |
| Erin Trostle | Town Clerk | 01.01.24-12.31.27 | 7 hours | 21.67 hours | biweekly |
| Alison Boak | Town Board Member | 01.01.24-12.31.27 | 6 hours | -- | quarterly |
| Diane Briggs | Town Board Member | 01.01.22-12.31.25 | 6 hours | 4.79 hours | quarterly |
| Daniel Paschkes | Town Board Member | 01.01.22-12.31.25 | 6 hours | -- | quarterly |
| Namasha Schelling | Town Board Member | 01.01.24-12.31.27 | 6 hours | 7.84 hours | quarterly |

4. Budget transfer for election expenses

RESOLUTION 176-24

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

RESOLVED that the Town Board hereby approves the transfer of \$69.00 from Contingency to budget line 1450.0422, to fund increased costs for contractual services related to elections provided by the county.

F. Planning Board and Water Control Commission– Release of unused escrows and bonds

RESOLUTION 177-24

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

MINUTES OF THE MEETING OF THE TOWN BOARD
TOWN OF POUND RIDGE
POUND RIDGE, NY
July 2, 2024

RESOLVED that the Town Board hereby approves the return of an unused Planning Board escrow for the parcel located at 68 Westchester Avenue in the amount of \$1,355.00 to Joseph DiPietro; AND BE IT FURTHER

RESOLVED that the Town Board hereby approves the return of an unused Planning Board escrow for the parcel located at 128 Kitchawan Road in the amount of \$1,543 to Jonathan Stein.

G. Comprehensive Plan Committee

RESOLUTION 178-24

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

RESOLVED that the Town Board hereby authorizes the submission of an application for a Smart Growth Community Planning and Zoning Grant to the New York State Office of Planning, Development and Community Infrastructure to fund professional services that would facilitate completion of the updated Comprehensive Plan.

VII. Public Comment II

Resident and Water Wastewater Task Force Co-Chair James Best, of 8 Fox Hill Road, thanked the Town Board for its support for the water district project and said that the WWTF would not be moving forward with the project if it did not believe that doing so was in the best interest of the town.

VIII. FINANCIAL MATTERS

RESOLUTION 179-24

Board Action: Motion by Councilperson Briggs, seconded by Councilperson Boak, the motion passing 3–0 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 12-2024:

| Fund | Claim Numbers | Total Amount |
|----------------------|----------------------|---------------------|
| General Fund | A00646–A00723 | \$158,644.58 |
| Highway Fund | D00140–D00154 | \$126,066.89 |
| Trusts & Agency Fund | AT00028 | \$560.00 |

AND BE IT FURTHER RESOLVED, that the following advance-of-audit claim listed in Abstract 12-2024 is hereby allowed:

| Fund | Claim Numbers | Total Amount |
|--------------|---------------|--------------|
| General Fund | A00724–A00727 | \$11,738.99 |

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

X. RECONVENE AS PARKING DISTRICT COMMISSION: Supervisor Hansan called the meeting to order at 9:15 pm.

RESOLUTION 180-24

Board Action: Motion by Councilperson Boak, seconded by Councilperson Briggs, the motion passing 3–0 with Councilperson Schelling abstaining, on the following:

RESOLVED, that the Town Board hereby authorizes the Supervisor to pay the following claim as detailed in Abstract 12-2024:

| Fund | Claim Numbers | Total Amount |
|------------------|-----------------|--------------|
| Parking District | ST00017–ST00018 | \$8,479.00 |

AND BE IT FURTHER RESOLVED, that the following advance-of-audit claims listed in Abstract 12-2024 are hereby allowed:

| Fund | Claim Numbers | Total Amount |
|-----------------------|-----------------|--------------|
| Parking District Fund | ST00019–ST00020 | \$316.84 |

XI. ADJOURNMENT: There being no further business to come before the Board, Supervisor Hansan adjourned the meeting at 9:16 pm.