



Town of Pawling Town Board

Pawling Town Hall
160 Charles Colman Blvd
Pawling, NY 12564

Town Board Meeting

*Meeting will be broadcast live on the
Town of Pawling Facebook page*

Wednesday, November 9th, 2022
6:00PM

James Schmitt, Supervisor
James McCarthy, Deputy Supervisor / Councilman
Phil DeRosa, Councilman
Coleen Snow, Councilwoman
Corinne Musella-Pitt, Councilwoman

Cathy Giordano, Town Clerk

RULES FOR PUBLIC COMMENT:

1. Each presentation to the Board made by an individual shall be limited to three (3) minutes in duration, unless extended by agreement by the Town Supervisor/ designee
2. Comments should be directed to the Board. Comments should be made in a respectful manner to the Board and from the Board to the community.

The Town Supervisor or designee may:

- a. Interrupt, warn, or terminate an individual's comment when the comment is personally directed, abusive or obscene.
- b. Request that any individual leave the meeting when that individual fails to observe reasonable decorum.
- c. Call for a recess or an adjournment to another time.

The intent of these rules are:

1. To allow members of the public a fair and adequate opportunity to be heard.
2. To assure that the regular agenda of the Town Board is completed; and
3. To recognize the nature of the Board and community's time and to use that time effectively.

Meeting Agenda

- a) Roll Call of the Town Board
- b) Pledge of Allegiance
- c) Public Hearing – Proposed Route 22 Sewer District
- d) Public Hearing – 2023 Budget Hearing
- e) Privilege of the Floor with respect to Agenda Items only
- f) Resolutions
- g) Discussion
 - a) Sav-A-Tree
- h) Town Board Items for Special Consideration & New Business
- i) Privilege of the Floor with respect to Agenda & Non-Agenda items (3 minutes)
- j) Adjournment

Resolutions

RESOLUTION 2022179

Payment of Bills for the Town of Pawling

WHEREAS, The Town of Pawling Bookkeeper has reviewed and prepared the vouchers for and has offered them for review, and

WHEREAS, the vouchers have been approved in accordance with the Town of Pawling policy, and

WHEREAS, the vouchers have been numbered 20220981-220221109, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby accepts the vouchers as prepared and on the recommendation of the Bookkeeper and hereby authorizes payment of said vouchers for the Town of Pawling on this date in the amount of \$ 825,553.19.

RESOLUTION 2022180

Facilities Use Request

WHEREAS, the Town of Pawling operates facilities that from time to time will be used by the public for events other than the Town's own usage, and

WHEREAS, the Recreation Director will periodically receive request for special considerations once all application and insurance requirements are met, and

WHEREAS, the Town Board of the Town of Pawling sets the fees for the use of facilities, and

NOW THEREFORE BE IT RESOLVED, that the following waiver(s) have been authorized by the Town Board: Eastern Dutchess Road Runners Club – Alcohol Waiver, Alcohol Control Plan submitted and reviewed.

RESOLUTION 2022183

Authorizing the Submission of the 2023 Community Development Block Grant Application

WHEREAS, the Town of Pawling (hereinafter referred to as the Municipality) is participating in the 2023 Dutchess County Community Development Block Grant Consortium, and

WHEREAS, an application has been prepared for the above referenced activity which addresses our community concerns, and

WHEREAS, it is desirable to conduct and hold a public hearing pursuant to the HUD Act to obtain the views of the citizens on Community Development needs, to establish priorities, and subsequently to develop the application, programs and any amendments or revisions thereto, and

NOW THEREFORE BE IT RESOLVED, that the 2023 application to the Dutchess County Community Development Block Grant Program for the above referenced activity is approved, and

NOW THEREFORE BE IT FURTHER RESOLVED, that the submission of the application to the Dutchess County Department of Planning and Development is authorized.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Members of the Town Board: That the Town Clerk is hereby authorized to publish a Notice of Public Hearing to be held on _____ at Pawling Town Hall to provide an opportunity for the Town to:

- a) Provide the citizens of the Town with adequate information concerning the amount of funds available for proposed community development activities, the range of activities that may be undertaken and other important program requirements.
- b) Provide citizens adequate opportunity to participate in the development of the application, any revisions, changes or amendments to the application, prior to the submittal.

NOW THEREFORE BE IT FURTHER RESOLVED, to the extent all or any actions hereby authorized have been executed and/or performed by the Town all are hereby ratified and confirmed and this Resolution take effect immediately.

RESOLUTION 2022184

Facilities Use Request

WHEREAS, the Town of Pawling operates facilities that from time to time will be used by the public for events other than the Town's own usage, and

WHEREAS, the Recreation Director will periodically receive request for special considerations once all application and insurance requirements are met, and

WHEREAS, the Town Board of the Town of Pawling sets the fees for the use of facilities, and

NOW THEREFORE BE IT RESOLVED, that the following waiver(s) have been authorized by the Town Board: Andujar Family party – Alcohol Waiver, Alcohol Control Plan submitted and reviewed.

RESOLUTION 2022185

Requiring a Restoration Bond – The Woods at Pawling

WHEREAS, the Planning Board voted on February 7, 2022 to recommend that the Town Board require The Woods at Pawling to post a Restoration Bond in the amount of \$150,000.00, and

WHEREAS, Castagna Commerce park, The Woods at Pawling is located at 7 Castagna Drive, Pawling, NY 12564, Parcel Number: 134089-7056-00-611351, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby requires the applicant, The Woods at Pawling, to post a Restoration Bond in the amount of \$150,000.00 per Town Code 187-10: Timber Harvest and by recommendation of the Planning Board.

RESOLUTION 2022186

Appointing Town Justice of the Town of Pawling

WHEREAS, due to the resignation of Town Justice David Daniels, a vacancy has been created in the position of Town Justice, and

WHEREAS, there is a necessity to fill this vacancy in the Town of Pawling Justice Court to conduct official Town Court business and to perform other responsibilities of the Department, and

WHEREAS, the Town Board has posted a public notice to find candidates and conducted interviews of six interested candidates for the position of Town Justice, and

WHEREAS, the Town Board of the Town of Pawling hereby appoints Terrance Wansley to the position of Town Justice until a successor can be elected at the November 7, 2023 general election, and

NOW THEREFORE BE IT RESOLVED, as follows:

1. The recitations set forth above are incorporated in this resolution as if fully set forth and adopted herein.
2. That Terrance Wansley is hereby appointed to serve as Town Justice of the Town of Pawling effective November 9, 2022 at a salary of \$18,107 per year, prorated, for a term ending on December 31, 2023.
3. Each newly elected or appointed Town Justice, who is not a member of the New York State Bar, is required pursuant to 517.2 of the Rules of the Chief Judge (22 NYCRR 77.2) to attend the first available Certification Course after their appointment or election. A non-lawyer Town or Village Justice may not fully assume the functions of the office until they have filed a certificate of completion of the Certification Course with their municipality (Uniform Justice Court Act 5105).
4. That the Town Supervisor and or his designee is hereby authorized and directed to file any and all documentation necessary to effectuate the intent of this resolution.

RESOLUTION 2022187

**Authorizing Former Town Official To
Maintain Insurance Coverage Through NYSHIP**

WHEREAS, David Daniels resigned as Town Justice for the Town of Pawling effective September 30, 2022, and

WHEREAS, former Justice David Daniels has requested to the Town that he may continue his enrollment in the New York State Health Insurance Program (NYSHIP) and not transfer to the AARP policy, and

WHEREAS, former Justice David Daniels has offered to pay in full the amount of his insurance coverage through NYSHIP with no funds from the Town of Pawling, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling do authorize former Justice David Daniels and Susan Daniels to maintain their insurance coverage through NYSHIP and for them to pay in full the amount to maintain this coverage.

WHEREAS, a request for Budget Amendments has been received from the Bookkeeper, and
 WHEREAS, normal course of business activity throughout 2022 has prompted the Bookkeeper to determine that various budget items should be amended to allow for the Town of Pawling to continue conducting business as usual, and

NOW THEREFORE BE IT RESOLVED, that the Bookkeeper has requested the following budget amendments:

Budget Transfers for

11/9/2022

A FUND

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditures						
Park Permit, etc.	A.7110.450	10,100	4,340		14,440	Additional funds
Recreation Admin	A.7020.100	172,304		(2,950)	169,354	transfers for ballfield clay
Parks, training, etc.	A.7110.401	1,000		(650)	350	
Parks, maintenance cont	A.7110.415	18,500		(740)	17,760	
Golf Course Maint cont	A.7250.415	19,000	5,200		24,200	Additional funds for golf cart
Golf, Fuel Oil	A.7250.416	4,900		(1,500)	3,400	contract, etc.
Golf, Ground other	A.7250.439	3,500		(900)	2,600	
Golf, Grounds, Fertilizer	A.7250.438	17,000		(600)	16,400	
Golf, Electric	A.7250.417	4,500		(1,200)	3,300	
Golf, Ground Supplies	A.7250.437	2,000		(600)	1,400	
Golf Grounds Wtr & swer	A.7250.418	1,800		(400)	1,400	
GolF, Grounds Gas	A.7250.424	10,000	50		10,050	Revised Budget
Golf Grounds Wtr & swer	A.7250.418	1,400		(50)	1,350	
Golf Clubhouse, Cont.	A.7260.400	10,000	3,000		13,000	Revised Budget
Golf Clubhouse, Wgs	A.7260.100	71,760		(3,000)	68,760	
Bldg, Lease Agreement	A.1620.420	2,000	1,000		3,000	Revised Budget
Bldg, Telephone	A.1620.404	4,000		(1,000)	3,000	
Bldg, Home Depot	A.1620.426	36,000	2,000		38,000	Revised Budget
Bldg, Euipt	A.1620.400	7,850		(2,000)	5,850	
Supervisor Contractual	A.1220.400	9,500	1,000		10,500	Revised Budget
Attorney	A.1420.400	100,000	10,000		110,000	Revised Budget
Central Data Processing	A.1680.400	23,500	2,000		25,500	Revised Budget
Beach and Pool	A.7230.100	83,000		(4,000)	79,000	
Triathlon	A.7310.441	18,000		(4,800)	13,200	
Budget	A.1340.400	46,500		(200)	46,300	
NYSERS	A.9010.800	118,730		(3,000)	115,730	
Heath Insurance	A.9060.800	629,835		(1,000)	628,835	
		<u>1,426,679</u>	<u>28,590</u>	<u>(28,590)</u>	<u>1,426,679</u>	