

Supervisor James Schmitt opened the Regular meeting of the Town Board of the Town of Pawling at 7:00 PM January 15, 2020 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, McCarthy, DeRosa, Councilwoman Snow and approximately 20 interested citizens.

PUBLIC HEARING/PROPOSED SPECIAL EVENTS LOCAL LAW

Supervisor Schmitt made a motion to open the public hearing on the proposed Special Events local law, seconded by Councilman Johnson, motion passed unanimously.

There were no comments from the audience.

Supervisor Schmitt made a motion to close the public hearing, seconded by Councilman Johnson, motion passed unanimously.

MINUTES

Councilman Johnson made a motion to approve the minutes of December 4, 2019 and December 11, 2019, seconded by Councilman McCarthy and passed with the following roll call vote:

MOTION: Councilman Johnson
SECOND: Councilman McCarthy

ROLL CALL VOTE:

Councilman Johnson – “AYE” Councilman DeRosa – “AYE”
Councilman McCarthy – “AYE” “Councilwoman Snow – “ABSTAINED”
Supervisor Schmitt – “AYE”

CONSENT AGENDA

**Resolution 2020041
Pawling Joint Sewer Commission Budget for 2020**

Whereas, the Town of Pawling received a request from the Pawling Joint Sewer Commission to approve the 2020 budget, and

Whereas, the Pawling Town Board has reviewed the budget and it is attached to the resolution, now therefore, be it

Resolved, that the Pawling Town Board hereby approves the Pawling Joint Sewer Commission Budget as follows; Revenues in the amount of \$1,039,465, Appropriations of \$700,365 and Bonding Costs of \$339,100 for a total budget of \$1,039,465.

**Resolution 2020042
Payment of Bills for the Town of Pawling**

Whereas, the Town of Pawling Bookkeeper has reviewed and prepared the vouchers 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 20191628 through 20191757, now therefore, be it

Resolved, that the Pawling Town Board 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 \$203,067.34.

**Resolution 2020043
Billing for Pawling Water District #2**

Whereas, Pawling Water District #2 bills need to be approved by the Pawling Town Board, and

Whereas, the bills have been prepared and submitted in the amount of \$13,891.25 for the period of October 2019 through December 2019 by the Water District Clerk, now therefore, be it

Resolved, that the Pawling Town Board hereby accepts the billing as recommended for Pawling Water District #2.

**Resolution 2020045
Acceptance Justice; Annual Audit Reports**

Whereas, the Unified Court Act requires that town justices annually provide their court records and dockets to their respective town auditing boards, and

Whereas, such records then are to be examined or audited by the Town Board members, and

Whereas, the Town Supervisor received the Annual Audit Report from Justice Daniels and Justice Zelazny for calendar year 2018 on December 19, 2019 and made said reports available to the Town Board members, and

Whereas, such Annual Audit Reports continued to be available for review and audit to the Town Board members at the Town Clerks Office until the time of the Town Board meeting on Wednesday, January 8, now, therefore, be it

Resolved, that the Town Board does hereby acknowledge receipt of the Town of Pawling Justice Annual Audit Report(s) and have been given the opportunity to review and comment on said reports.

**Resolution 2020048
Laborer Vacancy Appointment**

Whereas, a Part Time Laborer vacancy exists in the Buildings & Grounds Department, and,

Whereas, Dylan Zamora is a Temporary Part Time Laborer for the Buildings & Grounds Department, and

Whereas, the Supervisor of Buildings & Grounds would like to fill the position with Dylan Zamora, therefore, be it

Resolved, that the Town Board hereby approves Dylan Zamora to be a Part Time Laborer with the Buildings & Grounds Department.

MOTION: Councilman Johnson

SECOND: Supervisor Schmitt

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

“Councilwoman Snow – “AYE”

Supervisor Schmitt – “AYE”

NON CONSENT AGENDA

**Resolution 2020049
Appointment - Board of Assessment Review**

Whereas, Resolution 2020040 incorrectly listed the term length of Rebecca Lapp for the Board of Assessment Review, and

Whereas, Resolution 2020040 is hereby rescinded, and

Whereas, the term of Rebecca Lapp has expired on the Board of Assessment Review, and

Whereas, Rebecca Lapp wishes to continue serving on the Board of Assessment Review, and

Whereas, the Board of Assessment Review is scheduled to meet with members of the public on May 27, 2020, therefore, be it

Resolved, that Rebecca Lapp is hereby reappointed to the Board of Assessment Review for a term of 5 years set to expire on September 30, 2024.

MOTION: Supervisor Schmitt

SECOND: Councilman DeRosa

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

“Councilwoman Snow – “AYE”

Supervisor Schmitt – “AYE”

Resolution 2020050
Escrow Release – Dannenberg

Whereas, the Town of Pawling currently holds \$1,327.90 balance in escrow for Mrs. Eileen Dannenberg, and,

Whereas, the Planning Board Secretary has confirmed in a letter dated January 6, 2020 that there are no outstanding bills and that there will be no future bills for review, and,

Whereas, the Planning Board has recommended to the Town Board that these funds be released, therefore, be it

Resolved, that the Town of Pawling hereby releases the \$1,327.94 balance in escrow and authorizes the Bookkeeper to release such funds.

MOTION: Councilman DeRosa

SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

“Councilwoman Snow – “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2020051
Appointment Constable**

Whereas, the positions of the Town Constable is an appointed position serving for a one-year term at the pleasure of the Town Board, and

Whereas, current term of the Town Constable is to be effective to the date of the January 15, 2020, now, therefore, be it

Resolved, that Brian Sferra is hereby appointed Town of Pawling Town Constable and is to be compensated at the hourly rate of \$22.07 which is within the approved Town of Pawling 2020 budget.

MOTION: Councilman DeRosa

SECOND: Supervisor Schmitt

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

“Councilwoman Snow – “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2020052
Grievance Day**

Whereas, Resolution 2020008 in the January 8, 2020 Reorganizational Meeting listed the incorrect date of Grievance day, and

Whereas, Resolution 2020008 is hereby rescinded, and

Whereas, the Town of Pawling as required by New York State Law holds a day in which property owners can grieve their property taxes, therefore, be it

Resolved, that the Town of Pawling will hold Grievance Day on the Wednesday following the fourth Tuesday in May which is May 27th 2020.

MOTION: Councilman Johnson

SECOND: Supervisor Schmitt

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

“Councilwoman Snow – “AYE”

Supervisor Schmitt – “AYE”

BOARD MEMBER DISCUSSION

SNOW

Councilwoman Snow proposed the following goals for 2020 as follows, discussed them with the Board and asked that once adopted, they be placed on the website.

Nancy Tagliaferro, Town Attorney said some of these goals are things the Board has been working on. She suggested the language be added to say “will continue” to each of the goals.

The Board agreed.

Pawling Town Board Goals for 2020

Fiscal Management: The Town of Pawling will continue to develop short and long term

policies that increase revenue from services other than property taxes and minimize annual budget growth.

Public Safety: The Town of Pawling will continue to create an atmosphere of residential and commercial safety and comfort throughout the town.

Infrastructure: The Town of Pawling will continue to develop a road replacement and upgrade plan.

Community Sustainability: The Town of Pawling will continue to foster sustainable and appropriate economic growth.

Community Engagement and Governance: The Town of Pawling will continue to have an open and transparent government that proactively engages the town residents.

Following discussion, all Board members supported the 2020 goals as presented.

Following further discussion, Councilman Johnson suggested allowing public comment on agenda items, as used to be done in the past.

The Board agreed that public comment on agenda items would be added to upcoming agendas.

2020 LIAISON APPOINTMENTS

2020 Town Board Liaisons

Ambulance: James McCarthy and James Schmitt

Assessor's Office: William Johnson and James Schmitt

Bookkeeping: James McCarthy and Coleen Snow

Building Department: Phil DeRosa and James Schmitt

Buildings & Grounds: James McCarthy and James Schmitt

Constables: William Johnson and James Schmitt

Dog Warden: William Johnson

Golf Course: Phil DeRosa and William Johnson

Highway Department: James McCarthy and Phil DeRosa

Human Resources: James Schmitt and William Johnson

Planning Department: William Johnson and Jimbo McCarthy

Pawling Community Foundation: Coleen Snow and William Johnson

Pawling Library: Supervisor Schmitt and Coleen Snow

Pawling Resource Center: Coleen Snow

Pawling School District: James Schmitt and Coleen Snow

Recreation: Coleen Snow and William Johnson

Town Clerk: Phil DeRosa and Coleen Snow

Transfer Station: James McCarthy and Phil DeRosa

AMBULANCE UPDATE

Councilman McCarthy said he, Supervisor Schmitt, Ed Hauser, Dave Denzel/Chair Fire Commissioners and Everett White/Fire Chief met with EMStar on the ambulance service. They will be discussing some issues and going over the contract. He hoped that a one to two year contract could be agreed upon at the end of the discussions. He gave statistics on the ambulance service, saying a lot of calls have been answered last year and the Town of Pawling is lucky to have the ambulance service it has.

DEROSA

Councilman DeRosa apologized to Joe Marotta for the way he treated him last week, saying he should be more understanding and have more compassion. He has been working on the Whaley Lake Dam project for 25 years and to see it now in completion, it isn't what he dreamed of. But he should not have treated Mr. Marotta the way he did. He apologized to the Board and the public. He thanked Vinny DiMarco, who has been a volunteer overseeing work at the dam since the construction stopped. He and Mr. DiMarco were there today and the water level was down from last week. He wanted to make clear that Mr. DiMarco is now a volunteer. Regarding the transfer station, almost 500 permits have been sold and the Clerk's office is doing a great job keeping track of it. His goals for this year are to complete the dam properly and get the one million dollar grant money, address the basement downstairs at town hall and straighten out the Building Department and Planning Departments.

SCHMITT

Supervisor Schmitt said last night, he, Councilwoman Snow and Councilman DeRosa attended a Village Planning Board meeting. The meeting was very crowded and space was an issue. He said he would like to offer the town hall as a meeting place for Village meetings.

Supervisor Schmitt made a motion to reach out to the Village Board to allow them to use the Town Hall with projectors or meeting rooms at other buildings, with proper scheduling, as needed for their meetings, seconded by Councilman Johnson, motion passed unanimously.

PUBLIC COMMENT

Vinny DiMarco thanked Councilwoman Snow for the 2020 goals. He thanked the Board for reaching out to him and helping out with the Resource Center. He will be meeting with representatives of the Resource Center on Friday to put together a scope of work, based on safety, and get things done. He urged anyone with skills to also volunteer.

Helen Grosso asked about the ambulance service. She asked if Beekman only has paid ambulance service from 9:00 AM to 5:00 PM, what happens after hours.

Councilman McCarthy said they have a volunteer ambulance service 24 hours a day, seven days per week and paid ambulance service 9:00 AM to 6:00 PM, Monday through Friday.

Supervisor Schmitt said the ambulance services in surrounding towns cover each other's towns.

Councilman McCarthy said every town in Dutchess County signs a mutual aid agreement and the billing is done by EMStar. It is all dispatched by 911 in Poughkeepsie.

Joe Marotta, resident from the Whaley Lake Committee, thanked Councilman DeRosa for his words, saying he appreciated it. The Committee would like to revisit where the water level should be. They are trying to find the true number for the water level. He felt that sharing information between groups was important and has not been done. He did not know what was happening with the engineer and the community has spent a lot of money and really is not getting any information. The Committee wants to work together with the Town Board so that whatever the result is, it was done together. He invited the Board to look at etch marks and different markings to try to establish where the water level should be, they want to make sure everyone is happy with the numbers. In order to do that, they will need to have access to the dam so they would like to have keys and permission to go down there and take readings. He said Vinny DiMarco does go there but he doesn't work for the town either, and he felt the Committee should be entitled to have access to the dam. He would not like to see decisions on the draw down right away and it should be discussed before any decision are made.

Nancy Reilly, resident from Hurds Corner Road, asked if the Town Board had received a letter from the Schmitt family attorney.

Councilman Johnson said yes, and they will be making a presentation at the first meeting in February. Originally, the meeting was scheduled to be held at the HWLCA in Holmes but he felt it was better to do it here at town hall.

Mrs. Reilly asked how soon the document was able to be FOILED?

Cathy Giordano, Town Clerk said it already has been FOILED and it will be released tomorrow.

Councilman Johnson said regarding access to the dam, this can be discussed at a future time. Vinny DiMarco is still working for the town but chooses not to submit a bill so technically he is still working for the town.

Councilman DeRosa said Mr. DiMarco was chairman of the original Committee.

Supervisor Schmitt said Mr. DiMarco was hired by the Town Board to oversee that project so technically the project is not closed out so he still works for the town.

Nancy Tagliafierro said Mr. DiMarco still has his insurance in place, which is a very important issue.

Philip van Buren from the Oblong Land Conservancy with offices at 517 Route 22, said he feels appreciation for the Board for their service and their efforts. Concerning the application of the Schmitt family concerning Route 22, he asked if there were any ideas about procedure and what steps the Board sees moving forward.

Councilman Johnson said this Board has formed no opinions and hasn't even seen a presentation, so let's not get off on the wrong foot by putting the cart before the horse. The Board is allowing someone to come and make a presentation, so let's not put words in people's mouths. Someone is exercising their legal right, and has asked to be on the agenda through an attorney and he has said yes, they can come and make a presentation.

Mr. Marotta said Mr. DiMarco is not being paid and is not officially on payroll, and therefore the Committee should also have access to the dam.

Supervisor Schmitt said the Board is not going give the Committee a key until the project is completed. When the project is completed, this can be discussed. He said before a decision is made on what will happen moving forward, he was sure the Board and their attorneys would meet with the Committee to discuss the results.

Councilman Johnson made a motion to adjourn at 8:00 PM, seconded by Supervisor Schmitt, and passed with the following roll call vote:

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “NAY”

Councilman McCarthy – “AYE”

“Councilwoman Snow – “AYE”

Supervisor Schmitt – “AYE”

Town Clerk

	DESCRIPTION	2020 Proposed Budget	
	REVENUES		
A2120	SEWER RENTS	929,265	8.5 % Increase
A2128	PENALTIES ON SEWER RENTS	19,500	
A2122.0	HOOK UP FEES		
A2401	INTEREST EARNED	1,000	
3900.0	MISC REVENUES		
A2770.1	DUE FROM OTHER GOVERNMENTS	9,500	
9900.0	APPROPRIATED SURPLUS	0	
	Transfer from Capital Project		
9900.3	Fund Balance	80,200	
	TOTAL REVENUE	\$1,039,465	
	APPROPRIATIONS		
81101.1	PERSONNEL/ADMIN	84,400	
13042.2	LEGAL	35,000	
13042.3	ENGINEERING	15,000	
13042.4	ADMINISTRATION	3,000	
13042.5	ACCOUNTING	16,000	
13041.1	SEWER OPERATOR	244,000	
81104.1	COPIER/COMPUTER	2,000	
81104.2	POSTAGE	1,000	
81104.3	OFFICE RENTAL	7,000	
81104.4	OFFICE SUPPLIES	1,500	
13042.6	SPDES & AIR PERMIT	2,270	
81104.5	INSURANCE	10,000	
81104.6	PUBLICATIONS	500	
81104.7	EQUIPMENT	5,000	
81104.8	Computer Software	2,000	
13044.1	CHEMICALS	50,000	
13042.7	LAB FEES	2,500	
13043.2	REPAIRS/MAINTENANCE	5,000	
13043.1	Maintenance of Software	1,000	
13043.4	COLLECTION SYS MAIN/REPAIRS	10,000	
13043.3	PUMP Station Main/Repairs	20,000	
13041.1	SECURITY	6,695	
13041.2	ELECTRIC	90,000	
13041.3	FUEL	2,000	
13041.4	TELEPHONE & INTERNET	3,000	
13041.5	WATER	1,500	
13041.6	SLUDGE	45,000	
84900.0	CONTINGENCY	20,000	
	Transfer to Capital Reserve	15,000	
	TOTAL APPROPRIATIONS	\$700,365	
74501.0	PRINCIPAL V/P EFC BAN	285,200	
74511.0	INTEREST V/P EFC BAN		
89892.4	PRINCIPAL V/P BOND NO.3 (\$105,000)	50,000	
89892.8	INTEREST V/P BOND NO.3 (\$5,240.64)	3,900	
44550.0	BONDING COSTS		
	TOTAL BONDING & COSTS	339,100	
	TOTAL	\$1,039,465	