

Supervisor James Schmitt opened the regular meeting of the town board of the Town of Pawling at 6:00 PM September 8, 2021 at the Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were councilmen McCarthy, DeRosa, Johnson, councilwoman Snow, town attorney Nancy Tagliafierro, and approximately 8 interested citizens.

PUBLIC COMMENT ON AGENDA ITEMS

Supervisor Schmitt opened the meeting for public comment on agenda items and there were none.

MINUTES

Supervisor Schmitt made a motion to accept the minutes of August 11, 2021, seconded by councilwoman Snow and passed with the following roll call vote:

ROLL CALL VOTE:

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

CONSENT AGENDA

**Resolution 2021126
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 20210980 through 20211181, 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 \$629,332.13.

MOTION: Supervisor Schmitt
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

**Resolution 2021127
Escrow Release – Greenwald**

Whereas, the Town of Pawling currently holds a \$300.00 balance in escrow for Charles Greenwald, and,

Whereas, the planning board secretary has confirmed in a letter dated August 16, 2021 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 \$300.00 balance in escrow to Charles Greenwald and authorizes the bookkeeper to release such funds.

MOTION: Supervisor Schmitt

SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

Resolution 2021128
Approving the Purchase of APPIA Software

Whereas, the New York State Department of Transportation (NYSDOT) has advised that the Town of Pawling must purchase a 1-year license of Appia software for the Hurds Corner Road paving project, and

Whereas, the Appia software will be used by the town engineer in conjunction with the NYSDOT to work on and complete the Hurds Corner Road paving project, and

Whereas, a 1 year license for Appia software is \$2000.00 and is eligible for reimbursement by the grant funds, therefore, be it

Resolved, that the Town of Pawling town board hereby approves the purchase of one a 1-year license for Appia software in order to complete the Hurds Corner Road paving project as directed by the NYSDOT.

MOTION: Supervisor Schmitt

SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

NON CONSENT AGENDA

Resolution 2021129
PWDII Transfer/Loan

Whereas, Pawling Water District II is in need of additional funds to cover its immediate expenses until additional funding is received, and

Whereas, pursuant to General Municipal Law 9A the town board may authorize a temporary interfund advance to be repaid no later than the close of fiscal year 2021, and

Whereas, the recommended temporary advance will be from the general fund in the amount of \$60,000, therefore be it

Resolved, that the town board hereby authorizes a temporary interfund advance from the general fund to Pawling Water District II in the amount of \$60,000 to be repaid by the close of fiscal year 2021.

Councilman Johnson said this is just part of getting all of the repairs and things done at PWD #2.

Councilman DeRosa said he spoke with Ed Mills of Dutchess County Water Wastewater Authority about the county taking over the PWD #2 water system. Mr. Mills said the county would absolutely not take over the PWD #2 water system, they are refusing to take over any small water or sewer systems. There is a moratorium on the county taking over water and sewer systems. There is no way the county would consider anything like that.

MOTION: Supervisor Schmitt

SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2021130
Budget Amendments for Fiscal Year 2021**

Whereas, a request for budget amendments has been received from the bookkeeper, and

Whereas, normal course of business activity throughout 2021 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; therefore, be it

Resolved, that the bookkeeper has requested the following budget amendments:

A Fund

ACCOUNT	ACCOUNT	CURRENT			REVISED	
DESCRIPTION	NUMBER	BUDGET	INCREASE	DECREASE	BUDGET	DESCRIPTION
Revenues						
Sales of Equipment	A.2665	0	18837		18837	Sale of Bldg & Grnds Equip
Rec Summer Camp	A.2001.101	110015	11000		121015	
Expenditures						
Parks Equipment Building	A.7110.2	10100	13325		23425	New Equip from Sale Proceeds
Equipment Building	A.1620.2	88975	5512		94487	New Equip from Sale Proceeds
Equipment	A.1620.2	94487	11000		105487	Defibrillator’s for Buildings

DB Fund

ACCOUNT	ACCOUNT	CURRENT			REVISED	
DESCRIPTION	NUMBER	BUDGET	INCREASE	DECREASE	BUDGET	DESCRIPTION
Revenues						
CHIPS Funding	DB.3501	144690	89350		234040	
Expenditures						
Paving	DB.5112.2	400000	69350		469350	

Road Repairs	DB.5110.40	114550	20000	134550	
Brush	DB5140.4	10000	2000	12000	Revised Budget
Machinery Repairs	DB5130.4	82900		-2000	80900 Revised Budget

MOTION: Supervisor Schmitt
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

Resolution 2021131
Award of Bid for Heating Fuel Oil and Service of Oil Fired Heating Equipment

Whereas, bids were duly advertised and noticed for #2 heating fuel oil and service boiler maintenance service for the year 2021 -2022, and

Whereas, the bids have been submitted for the town board’s review and tabulations have been provided by the town clerk, now, therefore, be it

Resolved, that the following bids for #2 fuel oil be awarded per the specifications within the bid packet to Taylor Oil in the amount of plus (+) \$0.0590 per gallon, and the boiler maintenance service bid is hereby awarded to Taylor Oil in the amount of \$ 92.00 per hour.

MOTION: Supervisor Schmitt
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

Resolution 2021132
Authorizing Dog Control and Housing Services Agreement with Dutchess County SPCA

Whereas, after many years of dedicated and excellent service as dog warden to the Town of Pawling, John Daley will be resigning from the position as of October 15, 2021, and

Whereas, Dutchess County SPCA (DCSPCA) informed the Town of Pawling that they will no longer be housing dogs for towns that are not using the DCSPCA for dog control services as of 2022, and

Whereas, DCSPCA has proposed a fee of \$10,000 per year to take over dog control services, and

Whereas, the town has worked well with the DCSPCA for many years, therefore, be it

Resolved, that the town board hereby authorizes the town supervisor to sign the dog control and housing services agreement with the DCSPCA for an annual fee of \$10,000 per year.

MOTION: Supervisor Schmitt
SECOND: Councilman Johnson

Supervisor Schmitt thanked John Daley for all of the years he has been doing this, he has been a great dog warden. He will be missed.

Councilman Johnson said kudos to John and thanked him for his years of service. Switching to the county comes with John's blessing. He said once the transition is complete, the SPCA information should be posted on the town's website.

Councilman DeRosa said kudos to John for doing an excellent job for so many years.

Councilman McCarthy thanked John for his years of service.

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

TOWN BOARD DISCUSSION

JOHNSON

Councilman Johnson said regarding PWD #2, the well was drilled and it yielded 80 to 100 gallons per minute. He is waiting for the well log, which comes from the well driller and will then go to the engineer. There will be water testing and then they will discuss what depth and what size pump to put in, at which point they will conduct a 72 hour pump test. He is looking into replacing all meters in the district, meters where you will be able to get readings immediately. Testing is being done now to see if those meters will work in this area. He will get pricing on zone valves to see if things could be broken up so the entire system doesn't go down if and when there is a problem with the well. They will also install an outfall meter so we will know what we are pumping out, and what we are billing. The new well will be connected to the generator. Councilman Johnson said his heart goes out to residents that had bridges and driveways washed out and water damage from the storm. This was an incredible storm.

MCCARTHY

Councilman McCarthy reminded everyone that this Saturday is the 20th anniversary of 911 and the fire department is having a ceremony. They are asking residents to be there by 8:30 and it will start at 8:45 sharp, and it should last about twenty minutes. He asked everyone to take time to be there for that and to bring their children because most children don't know about 911.

DEROSA

Councilman DeRosa said the storm affected a lot of people, privately and publicly. Shorehaven lost a bridge that carried the stream that comes down from Grape Hollow Road. It clogged the pipe and washed the bridge out. There is a four inch water line that goes over that bridge that feeds the Shorehaven water district. He called Ed Mills of Dutchess County Water Wastewater Authority, and alerted him because he was worried about it washing out the pipe. Luckily, Bill Colbert quickly took the debris out of there so it did not knock the pipe out. DCWWA came out and supported the pipe joints temporarily. Today, DCWWA was out looking at the system. They have provisions in place to replace that pipe and they will install a valve on either side of the bridge so the systems can be isolated. They are also making provisions for winterizing the pipe. He made sure DCWWA had the correct contact information so everyone can work together moving forward. The politicians are looking at the damage and at how to get money for residents and municipalities. Councilman DeRosa said the lake is down to 12 inches above the original concrete spillway. The lake has gone down from what it was a week ago. The dam is in good shape and there were no washouts. Councilman DeRosa said on September 14th, he will attend his first in person Dutchess County planning board meeting.

SNOW

Councilwoman Snow said all of the tickets were sold for the Pawling Community Foundation gala on October 2nd at Lakeside Park at 6:00 PM, where Earl Slocum will be honored. She wished him all the best and she hoped everyone has a good time at the gala. The Pawling Resource Center walkathon is on September 18th at 11:00 AM. There will be barbeque and live music after and she encouraged everyone to attend. She thanked the recreation department, they had a successful summer and thanked them for doing such a good job with camp. She said many of the local schools opened today and she wished the faculty and students a wonderful and successful year.

SCHMITT

Supervisor Schmitt said we got hit with this dreadful storm last week and it has been a lot of work keeping up with things since then. He has been working with a lot of other authorities, the county, the state and FEMA to try to recover some funds from the damage that happened. Some of the more severely damaged roads are River Road, where all of the new blacktop was taken out. Lakeview Drive in the Shorehaven water district and Quaker Lake Road also had a lot of damage. He will be in East Fishkill on Friday with congressman Sean Patrick Maloney and the supervisor from East Fishkill and county executive Marcus Molinaro. He is pushing them to help residents also. He thanked the representatives for coming out to look at the damage. He asked residents with damage to let him know and he will take care of, as best he can.

ETHICS CODE

Councilwoman Snow said she has been working on the ethics code for some time. She has been talking about it with the board and with other towns. She realized the ethics code hadn't been updated in a while and she noticed that two of the things missing were conflict of interest and recusal. She asked if the board had time to look this over. She said Nancy Tagliafierro, town attorney has been helping her with this update.

Councilman Johnson had no issues with the changes. He asked if a local law had to be passed.

Ms. Tagliafierro said a local law has to be passed to update the law.

Councilman McCarthy said he looked it over and he had no issues with it.

Supervisor Schmitt said he thought it was great and he looked forward to public comment on it.

Councilman Johnson made a motion to schedule a public hearing to revise the ethics code for October 6, 2021 at 6:00 PM, seconded by Councilwoman Snow, motion passed unanimously.

PUBLIC COMMENT

Wendel Weber, supervisor of buildings and grounds gave the board an update on spending for the Lions building. He got a price for changing out all of the windows above the bathrooms, fixing the rot and some other work. The estimate given to him was \$23,377.76, so he needed approval for the change order. He said it would cover replacing the windows, replacing all of the rotted wood, replacing the two posts on the end, and all of the cedar shingles.

Supervisor Schmitt made a motion to approve \$23,377.76 for the upstairs siding, windows and rotting wood, cedar shingles and painting everything on the second floor, seconded by Councilman Johnson, motion passed unanimously.

Mr. Weber said regarding the Legion building, he received bids for air conditioning and heating units, and the low bidder was GAD Air in the amount of \$13,200.00. They are two ductless units. This money is in the bond money so he just needs approval to make the purchase.

Supervisor Schmitt made a motion to approve \$13,200.00 for the Legion building ductless ac/heat system, seconded by Councilman Johnson, motion passed unanimously.

Mr. Weber thanked Supervisor Schmitt for coming out to Holmes to see the damage. They are willing to do whatever necessary to get money for repairs.

Brian Avery, director of the Pawling Free Library urged everyone to attend the second week of the book sale, saying the first week was very successful.

EXECUTIVE SESSION

The motion to enter into Executive Session to discuss personnel matters was made by Supervisor Schmitt at 6:40 PM, seconded by Councilman Johnson, motion passed unanimously.

The Board returned from Executive Session at 7:45 PM and adjourned the meeting. No action was taken.

Town Clerk