

Supervisor James Schmitt opened the regular meeting of the town board of the Town of Pawling at 6:00 PM December 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 14 interested citizens.

MINUTES

Supervisor Schmitt made a motion to accept the minutes of November 3, 2021, seconded by councilman McCarthy and passed with the following roll call vote:

ROLL CALL VOTE:

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

Supervisor Schmitt made a motion to accept the minutes of November 10, 2021, seconded by councilman Johnson and passed with the following roll call vote:

ROLL CALL VOTE:

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

Supervisor Schmitt made a motion to accept the minutes of November 17, 2021, seconded by councilman Johnson and passed with the following roll call vote:

ROLL CALL VOTE:

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

CONSENT AGENDA

**Resolution 2021164
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 20211469 through 20211595, 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 \$291,092.08.

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 2021168
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 a for special considerations once all application and insurance requirements are met, and

Whereas, the town board sets the fees for the use of facilities, now, therefore, be it

Resolved, that the following waiver(s) have been authorized by the town board:

Margaux Miller – Alcohol Waiver
Town of Pawling – Alcohol Waiver

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 2021169
Transfer Station Holiday and Snow Schedule**

Whereas, members of the town board and transfer station staff have met to discuss the details of the transfer station 2022 schedule, and

Whereas, the transfer station operates on Mondays, Thursdays and Saturdays, therefore, be it

Resolved, that the transfer station will operate from 6:00am to 4:00pm on Mondays and Thursdays, and be it further

Resolved, that the transfer station will operate from 7:00am to 4:00pm on Saturdays, and be it further

Resolved, that if a holiday falls on a Monday or Thursday the transfer station will also be closed and will open the following day, and be it further

Resolved, that if town offices are closed for an emergency such as weather on a Monday or Thursday the transfer station will also be closed and will open on the following day that town offices are open.

MOTION: Supervisor Schmitt

SECOND: Councilman McCarthy

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2021170
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
	Golf Grounds Maint	A.7250.415	18000	3,000		21000 Revised Budget
	Assessment Cont.	A.1355.400	15000	28,860		43860 Revised Budget
	Assessment Wgs	A.1355.100	74000		-28,860	45140 Revised Budget
	Building Equip	A.1620.2	115487	3,000		118487 Revised Budget
	Golf Grounds Elec	A.7250.417	1800	100		1900 Revised Budget
	Golf fertilizer	A.7250.438	14100		-100	14000 Revised Budget
	Golf Wages	A.7260.100	68873		-6,000	62873 Revised Budget
	Central Printing	A.1670.400	13000	1,000		14000 Revised Budget
	Central Data Proc	A.1680.200	26640		-1,000	25640 Revised Budget
	ParK Permits	A.7110.45	6150	100		6250 Revised Budget
	Training	A.7110.401	1000		-100	900 Revised Budget
	Beach & Pool	A.7230.400	6250	100		6350 Revised Budget
	Beach & Pool Equip	A.7230.200	14566		-100	14466 Revised Budget
	Golf Course Equip	A.7260.200	1200	100		1300 Revised Budget
	Golf Course Cont.	A.7260.400	9250		-100	9150 Revised Budget
	Other Rec Wgs	A.7310.100	23238	2,000		25238 Revised Budget
	Other Rec Cont.	A.7310.400	38500		-2,000	36500 Budget
				38,260	-38,260	

B FUND						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Constables Cont.	B.3120.4	6950	2,000		8950	Revised Budget
Constables Wgs	B.3120.1	22260		-2,000	20260	Revised Budget
SW2 Fund						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Admin Cont.	SW2.8310.4	1100	100		1200	Revised Budget
Transmission	SW2.8340.4	45000		-100	44900	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 2021171
Authorizing the Submission of and Application to the New York Department of State 2021 Local Government Citizens Reorganization Empowerment Grant (CREG) Expedited Assistance Program for Grant Funds to Support Costs Associated with the Development and Dissemination of Information Regarding the Impact of Consolidation of the Town of Pawling

Whereas, as a result of a petitions for Consolidation filed according to Article 17-A of the GML, the Pawling town board has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of an application under the 2021 New York State Department of State Local Government Citizens Re-Organization Empowerment Grant (CREG) Expedited Assistance Program to be titled, Town of Pawling - Consolidation Study; and

Whereas, the intent of the grant is to provide the Town of Pawling with financial assistance to support the Town of Pawling - Consolidation Study prior to the referendum on Consolidation of the Town and Village of Pawling; and

Whereas, the amount of funds to be requested from the Local Government Citizens Re-Organization Empowerment Grant (CREG) Expedited Assistance Program is an amount not to exceed \$25,000, and

Whereas, the CREG program has a required 10% local cash match, now, therefore, be it **RESOLVED**, that the Town of Pawling is the Lead Applicant in an application for financial assistance under the 2021 Local Government Citizens Re-Organization Empowerment Grant (CREG) Expedited; and be it further

Resolved, the Pawling town board authorizes the required local matching funds; and be it further

Resolved, the Pawling town board hereby authorizes the town supervisor to submit the grant application; and be it further

Resolved, that the Pawling town board authorizes the town supervisor to undertake all actions necessary to effectuate this Resolution, which shall take effect immediately.

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 2021172

Advertise for Bids – Water Meters and Installation for Pawling Water District #2

Whereas, the Town of Pawling is seeking bids for water meters and installation for Pawling Water District #2, and

Whereas, the Town of Pawling wishes to advertise for bids for a water meters and installation, and

Whereas, the town board of the Town of Pawling wishes to authorize its town clerk, Catherine Giordano, to advertise for bids for water meters and installation, therefore, be it,

Resolved, that the town board of the Town of Pawling hereby authorizes its town clerk, Catherine Giordano, to advertise for bids for water meters and installation for Pawling Water District #2.

MOTION: Supervisor Schmitt

SECOND: Councilman Johnson

Councilman Johnson introduced an amendment to resolution 2021172 to separate the bid for the water meters and separate the possible bid for installation, seconded by supervisor Schmitt, motion passed unanimously.

ROLL CALL VOTE ON RESOLUTION 2021172:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

Resolution 2021173

Approval of Laberge Contract Addendum

Whereas, the Town of Pawling entered into a Grant Management Services Contract with the Laberge Group in 2019, and

Whereas, the town board of the Town of Pawling has been extremely pleased with the services provided by the Laberge Group, and

Whereas, to continue services with the Laberge Group a Contract Addendum must be reviewed and executed, and

Whereas, the town board of the Town of Pawling has reviewed Contract Addendum No. 2021144-00 which caps compensation at \$36,000 unless additional compensation is authorized by the town board, therefore, be it

Resolved, that the town board of the Town of Pawling hereby authorizes the town supervisor to sign Contract Addendum No. 2021144-00 to give effect to this resolution.

MOTION: Supervisor Schmitt

SECOND: Councilman McCarthy

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

TOWN BOARD DISCUSSION

DEROSA

Councilman DeRosa congratulated all applicants coming forward for the ZBA and planning board positions, saying there has been a good response. Councilman DeRosa said the level of Whaley Lake is good. The town received a letter from NYS DEC regarding an inspection they did at the dam, there are a couple of things that need to be rectified and the town will need to get an engineer to take care of these issues. He would be working on that as soon as he can.

SNOW

Councilwoman Snow said she discussed transportation for seniors last week and she was able to follow up with the supervisor from Amenia last night. Amenia uses a service from Northeast Community Group, they give a \$5,000.00 donation each year, and quite a few towns utilize this service. She is working on this and would contact Northeast Community Group to discuss getting Pawling in on this service. Councilwoman Snow said she is also researching the Snow Angel project, which is using school age children to help people with snow removal. She would be working with the Interact Club and the Peer Leaders at school to come up with a system where people can contact someone to help them. Councilwoman Snow said she, the supervisor and JoAnne Daley have had another meeting with the school about some of the issues that have been coming up at the planning board.

MCCARTHY

Councilman McCarthy thanked all of the employees and elected officials for all of the support they have given him in the last four years, especially Councilman Johnson and Jay Dickinson who made it a little bit easier for him.

SCHMITT

Supervisor Schmitt thanked all departments and employees, saying this has been another great year for Pawling. Since this is the board’s last meeting of the year, he wanted to thank everyone for their work. He thanked the board for all they do for the town. Supervisor Schmitt said the Dewey Lane Bridge project is moving forward. He was happy about the interviews for planning and zoning and that so many people have come out to volunteer. Supervisor Schmitt said tonight is councilman Johnson’s last evening so he would give him the floor.

JOHNSON

Councilman Johnson said Mike Kelly asked if the inside meters would be changed as well as the outside meters. This proposed new system is all cellular so it is all inside and residents would have access to monitor the water use. As this date was approaching, he had a couple of thoughts. He has worked with many elected officials, appointed officials and workers throughout his years. Regardless of party affiliation or differences of opinion, the one thing we all did and still do have in common is our love for this

community. He thanked all of his fellow board members, other elected officials, and all employees. He could not have done this job without all of those people. He thanked the citizens of Pawling for supporting him over the past twenty years. And lastly, to his loving wife and family who have supported him and dealt with what comes along with public service, thank you and I love you all.

Supervisor Schmitt presented councilman Johnson with the following proclamation:

COMMENDATION

William “Bill” Johnson

Whereas, William Johnson has served the Town of Pawling with honor and distinction for 20 years as a Town Councilman, and

Whereas, William Johnson has sincerely and tirelessly dedicated countless hours to the betterment of Pawling and its residents, and

Whereas, through his 2 decades of service and perseverance William Johnson has affected great positive change and growth in our community, and

Whereas, William Johnson has left an enduring mark on Pawling and his legacy will live on for time immemorial, and

Whereas, William Johnson is regarded as a respected friend and a true gentleman by all of his colleagues in the Town of Pawling and his presence will be greatly missed, therefore, be it

Resolved, that the Town of Pawling, by its elected town board, hereby recognizes the hard work and dedication displayed by William Johnson Presented this 8th day of December, 2021.

PUBLIC COMMENT

Harvey Matcovsky, resident from Holmes wished everyone happy holidays. He said he was happy with the borrowing for the town at very low interest rates and also that the Whaley Lake bond is done. He was happy the town went with the AARP plan for retirees and saved a lot of money for the town. He was happy with the coordination between town entities. He felt the planning board meetings should be streamed as the town board meetings are. He hoped there was planning happening about the Lakeside Park monies once the park is paid off, and he hoped the community would be involved as to how that money would be used. He felt citizens should be involved in how to use the Covid money. He felt there needed to be an ethics committee and felt it should be revived. He was glad to see people in the community are coming out to volunteer on boards and he felt we would be starting the new year on a positive note.

Helen Grosso, resident of Tracy Road, congratulated councilman Johnson on his retirement. Mrs. Grosso said she attended the planning board meeting and it was extraordinary the information that came out. It came out that Castagna/Jucca is allowed to build 20% multi use housing, which is completely different than what they applied for, which is stated in the Fair Housing Law. It came out that Castagna can build up to 400 units, so she didn't understand how you come up with 20% if they can build up to 400 units, how is the number calculated. A great deal is still in question about The Woods at Pawling. There is a PILOT (payment in lieu of taxes) program for the first eighty-one units, which are clearly senior housing. The town board (James Schmitt, Phil DeRosa, Bill Johnson, Jim McCarthy and Dave Kelly) signed an agreement for the second part on November 30, 2018, The Hamlet at Pawling II, saying they were eager to see the Kearney Realty Group move forward to the construction phase and they were willing to negotiate a PILOT program valued at approximately \$75,000.00 once guaranteed funding is made available. This was sent to NYS Homes and Community Renewal, which was part of a pitch to get that funding. Castagna's proposal promised to stimulate the local economy, along with an estimated 600 construction jobs and 400 permanent jobs. They promised millions in economic value. She said the original PILOT program is in effect for 32 years.

There will be all kinds of opportunities and she urged the board not to sign another PILOT agreement for this development.

Supervisor Schmitt said the document Mrs. Grosso is reading is not a 32 year promise to give any PILOT, it is not a guaranteed agreement, it is merely a letter of support that the developer used on a previous part of the project. It has nothing to do with the non-age restricted housing that is in front of the planning board now. That was a letter of support for them to potentially go forward with additional senior housing and allowed them to apply for the funding. It is not a binding agreement.

Robert Cologne, resident from 53 Akindale Road, congratulated councilman Johnson. He said regarding The Woods project, he felt it would be beneficial to open the public hearing again for this project. He went to the last planning board meeting, and from what he understood, the town board needs to interpret if this is a change of the PDD. No one is making a decision.

Councilman DeRosa said the building inspector makes a determination of the code. If there is an appeal, it goes to the ZBA and they would make a determination on the appeal. It doesn't come to the town board.

Mr. Cologne asked why the master plan was changed in 2013.

Councilman DeRosa said a master plan is a living document and it should be updated from time to time. It can be changed with an in-depth study, which is very expensive to do. The town had an update in 1998.

Mr. Cologne said those changes gave The Woods project the grounds to move forward. Why did these changes happen to allow this project to happen?

Councilman DeRosa said the only thing that was changed was the PDD. Later on, the developer marketed the project but the market changed and the development did not happen. The developer has spent hundreds of thousands of dollars getting the approvals they have and could put a shovel in the ground tomorrow for the 65,0000 square feet of office space, but it hasn't happened. The town has been going through this for twenty years and as the market changed, things changed with the development. There were three building pods, commercial, industrial and office space. They then had the pods shifted so they could be flexible because of the market. They came to the town board and wanted 600 units of senior housing, and the town board brought it down to 400 units. The layout has to be approved by the planning board.

Mr. Cologne said as he understood it, the planning board isn't making a decision as to the permissible use of the site, senior housing vs the non-age restricted. Who is the decision maker on saying that this is a change in application?

Nancy Tagliafierro said the planning board would make that decision.

Marty Mygan, resident of one Aspen Court congratulated councilman Johnson, saying he would be missed. He was happy to hear that the November 30, 2018 letter doesn't mean anything because the new project is totally different than what was proposed. He felt it was a change of intensity. It will put a lot more wear and tear on the schools and the town, he did not feel \$75,000.00 would cut it. He saw an article today and he was disappointed, he hoped no one on this board has taken political donations from this developer. The supervisor before supervisor Schmitt got six or seven donations associated with Castagna and Kearney. He felt the previous supervisor should have recused himself after that.

Councilman Johnson made a motion to adjourn at 6:50 PM, seconded by supervisor Schmitt, motion passed unanimously.

Town Clerk