

Supervisor James Schmitt opened the regular meeting of the town board of the Town of Pawling at 6:00 PM August 3, 2022 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were councilwomen Snow and Pitt, Councilmen DeRosa and McCarthy, Nancy Tagliaferro, town attorney and 8 interested citizens. Supervisor Schmitt read the following rules for public comment:

**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.

**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 July 13, 2022, seconded by councilman DeRosa and passed with the following roll call vote:

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**RESOLUTIONS**

**Resolution 2022139  
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 20220363 through 20220549, 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 \$389,151.89.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2022140  
Escrow Release - Miller**

Whereas, the Town of Pawling currently holds \$1,268.14 balance in escrow for Joanne Miller, and,

Whereas, the planning board secretary has confirmed in a letter dated July 19, 2022 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, and

Now Therefore, be it Resolved, that the Town of Pawling hereby releases the \$1,268.14 balance in escrow to Joanne Miller and authorizes the bookkeeper to release such funds.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2022141  
Requiring a Restoration Bond – Girl Scouts of America – Camp Kaufman**

Whereas, the planning board voted on July 18, 2022 to recommend that the town board require the Girl Scouts of America – Camp Kaufman to post a restoration bond in the amount of \$88,000.00, and

Whereas, Girl Scouts of America – Camp Kaufman is located at 81 Camp Road, Holmes, NY 12531, Parcel Number: 134089-6955-00-070854, and

Now Therefore, be it Resolved, that the town board of the Town of Pawling hereby requires the applicant, Girl Scouts of America – Camp Kaufman, to post a restoration bond in the amount of \$88,000.00 per Town Code 187-10: Timber Harvest and by recommendation of the planning board.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2022142  
Appointment of Part Time Laborer**

Whereas, a permanent part time laborer vacancy exists in the buildings & grounds department, and

Whereas, John (Jay) Dickinson has interviewed with the supervisor of buildings & grounds and was deemed duly qualified, and

Whereas, the supervisor of buildings & grounds would like to fill one permanent part time laborer position with John (Jay) Dickinson, and

Now Therefore be it Resolved, that the town board of the Town of Pawling hereby approves John (Jay) Dickinson to be appointed as a part time laborer in the buildings & grounds department at the current laborer hourly rate of \$15.00 at 20 hours per week.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2022143  
Authorizing the Supervisor of Buildings & Grounds to Have Take-Home Vehicle**

Whereas, the supervisor of buildings & grounds is a full-time employee of the Town of Pawling who is on-call 24 hours a day, seven days a week to ensure the proper maintenance, safety, and welfare of all Town of Pawling parks, properties, and facilities and the members of the public and staff who utilize them, and

Whereas, the supervisor of buildings & grounds is authorized the operate a Town of Pawling official vehicle for official business, and

Whereas, the Town of Pawling employee handbook, Section 508 – Vehicle Usage, does not prohibit the use of take-home vehicles, and

Now Therefore be it Resolved, that the town board of the Town of Pawling hereby authorizes the supervisor of buildings & grounds to have a take-home vehicle for official business.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2022144  
Bid Acceptance – Lakeside Park, Great Lawn Restoration Project**

Whereas, the town clerk advertised for bids to for the Lakeside Park, Great Lawn Restoration Project and,

Whereas, the town clerk conducted a bid opening on July 28<sup>th</sup>, 2022 for said project, and

Whereas, the lowest bid was received by Amaxx Inc. in the amount of \$130,236.00, and

Whereas, the bids were reviewed by the town and deemed acceptable, and

Now Therefore, be it Resolved, that the town board of the Town of Pawling hereby accepts the bid from Amaxx Inc. in the amount of \$130,236.00 for the Lakeside Park, Great Lawn Restoration Project.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilwoman Snow

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2022145  
Establishing Deadline for Submitting Time Sheets for Employees of the Town of Pawling**

Whereas, employees of the Town of Pawling are required to submit time sheets to the bookkeeper for accountability of hours worked, and

Whereas, the bookkeeper of the Town of Pawling has requested that employees submit their time sheets on Thursday prior to payroll being completed, and

Whereas, all employees, excluding appointed New York State Court Officers, must submit their time sheet to the bookkeeper by 4:00 PM every other Thursday, and

Now Therefore, be it Resolved, the town board of the Town of Pawling hereby establishes every other Thursday at 4:00 PM as the deadline for submitting time sheets to the bookkeeper effective Thursday, August 4, 2022.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilwoman Snow

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman DeRosa – “AYE”  
 Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2022146  
 Budget Amendments for Fiscal Year 2022**

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:

A FUND						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Justice Court Wgs	A.1110.1	81,275	12,000		93,275	Adj for stipend after 2022 Budget
Supervisor Equip/Capital	A.1220.200	0	1,750		1,750	TV, Desk Chairs Supervisor's Office
Central Data Processing	A.1680.200	13,500		(1,750)	11,750	Offset for Supervisor's Office Improvements
Auditor	A.1320.400	18,900		(18,000)	900	To Offset TS Wgs
Central Data Processing	A.1680.200	20,000		(2,500)	17,500	To Offset TS Wgs
Central Data Processing	A.1680.200	17,500		(4,000)	13,500	To Offset Vet fees
Dog Control	A.3510.400	10,000	8,000		18,000	Vet fees, \$4k current
Transfer Station Wages	A.8160.100	61,441	20,500		81,941	Increase due to use of FT Employee
Beach & Pool Equip	A.7230.200	17,500		(13,000)	4,500	To Offset shortfall in Rec Revenues
Teen Center Capital	A.7145.200	-	20,000		20,000	Increase for Rotary Funded Improvements
		240,116	62,250	(39,250)	263,116	
A FUND Revenues						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Summer Camp Rev	A.2001.101	\$ 145,000	\$ 15,000		\$ 160,000	Revised Budget
Facility Use Rev	A.2001.103	\$ 55,000		\$ (25,000)	\$ 30,000	Revised Budget
Triathlon Event Rev	A.2091	\$ 25,000		\$ (3,000)	\$ 22,000	Revised Budget
Donations	A.2705	\$ -	\$ 20,000		\$ 20,000	Rotary Funding of Teen Center Improvements
Mortgage Tax	A.3005	\$ 280,000	\$ 16,000		\$ 296,000	Increase to offset JC Stipend and 4k of Vet Fees
		\$ 505,000	\$ 51,000	\$ (28,000)	\$ 528,000	
DB Fund						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Wages	DB.5110.1	\$ 469,436	\$ 50,000		\$ 519,436	Adj snow wgs to regular wgs
Snow Wages	DB.5142.1	\$ 50,000		\$ (50,000)	\$ -	
		\$ 519,436	\$ 50,000	\$ (50,000)	\$ 519,436	

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman DeRosa – “AYE”  
 Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2022147**

**Approving Settlement of Tax Certiorari Proceeding in the Matter of Irme Ransome Kohn v. The Town of Pawling Index Nos. 21/52635 and 22/51956**

Whereas, the Town of Pawling is currently a party respondent in a certain tax certiorari proceeding entitled IMRE RANSOME KOHN V. TOWN OF PAWLING, ET AL, currently pending in the Supreme Court, State of New York, County of Dutchess, in which the total assessed valuation of premises shown on the Pawling Tax Map as grid numbers 6856-00-098096, 6856-00-068118, 6756-00-986018, 6856-00-032081, 6856-00-146089, 6756-00-366032, 6756-00-992091, 6856-00-011015 as listed on the 2021 and 2022 Assessment Rolls are being contested; and

Whereas, a proposed settlement of said matter has been negotiated by and among the Town Attorney, Counsel to Petitioner, and Counsel to the Pawling Central School District the terms of which are set forth in a proposed Consent Judgment, a full and complete copy of which is annexed hereto and hereby made a part hereof; and

Whereas, the Assessor of the Town of Pawling and the property owner have agreed to settle the proceeding by reducing the assessed valuation of the subject premises as shown on schedule annexed hereto and incorporated herein by reference; and

Now Therefore be it Resolved, that the Town Board of the Town of Pawling hereby approves and ratifies the settlement of the above described matter; and

Be it Further Resolved, that Jamie Spillane, Esq. of the Firm of Hogan & Rossi, the Pawling Town Attorney, or any other member of said Firm, is hereby authorized and directed to sign, on behalf of the Town of Pawling, said Consent Judgment in the form annexed hereto or, if hereinafter modified or amended, in such form as may be deemed satisfactory to the Town Attorney.

**2021 Assessment Year**

<b>Parcel</b>	<b>Original Assessment</b>	<b>Reduced Assessment</b>	<b>Reduction</b>
6856-00-098096-0000	30,100	19,447	\$10,653
6856-00-068118-0000	31,400	22,593	\$8,807
6756-00-986018-0000	27,300	27,300	\$0
6856-00-032081-0000	69,800	14,481	\$55,319
6856-00-146089-0000	33,800	28,012	\$5,788
6756-00-966032-0000	28,200	28,200	\$0
6756-00-992091-0000	28,500	28,500	\$0
6856-00-011015-0000	27,400	27,400	\$0
<b>Total</b>	<b>276,500</b>	<b>195,933</b>	<b>80,567</b>

**2022 Assessment Year**

<b>Parcel</b>	<b>Original Assessment</b>	<b>Reduced Assessment</b>	<b>Reduction</b>
6856-00-098096-0000	30,100	16,382	\$13,718
6856-00-068118-0000	31,400	19,032	\$12,368
6756-00-986018-0000	27,300	22,997	\$4,303
6856-00-032081-0000	69,800	12,199	\$57,601
6856-00-146089-0000	33,800	23,597	\$10,203
6756-00-966032-0000	28,200	23,755	\$4,445
6756-00-992091-0000	28,500	24,008	\$4,492
6856-00-011015-0000	27,400	24,008	\$3,392
<b>Total</b>	<b>276,500</b>	<b>165,978</b>	<b>110,522</b>

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilwoman Snow

## **ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

## **TOWN BOAD DISCUSSION**

### **PITT**

Councilwoman Pitt explained that the town’s dog control officer has been very busy and gave the board an update on what she has been doing. The dog control officer is contracted out from the Society of Prevention of Cruelty to Animals and she began with the town in late March. The dog control officer is available 24/7. The original agreement was based on data the town had and, based on current costs and activity, and services provided, she felt that the contract would need to be reviewed again.

### **MCCARTHY**

Councilman McCarthy announced that the Pawling fireman’s carnival starts today and ends Saturday with fireworks, and the parade is on Friday. He urged everyone to attend. Councilman McCarthy said last Friday, Laberge filed the grant to tear down “The Inn” at Lakeside Park, along with updating the bathrooms, which includes a pavilion on top of the bathrooms. He thanked Wendel Weber, supervisor of buildings and grounds and Robyn Priano, recreation director, for their help with the grant.

### **SNOW**

Councilwoman Snow said following up on the NYSEG forum that was held in June, she wanted to set up a meeting with surrounding towns to discuss electricity supply and price increases. She said Pawling Rotary had their annual stuff the bus to benefit the Pawling Resource Center, which was very successful. She thanked the community for their support with that. Councilwoman Snow said the Pawling Rotary community day is scheduled for September. The Pawling Community Foundation Gala is October 8<sup>th</sup> at 6 PM at Lakeside Park. Regarding the Ethics Committee, she is hoping the intermunicipal agreement would be ready within the next two weeks. Regarding the Whaley Lake Bridge, she is in continued contact with representatives of Senator Harekham’s office to see if monies could be obtained to repair the bridge. She has been told that there may be monies through the New York State storm recoveries plan and she awaits information from the senator’s office on that.

### **DEROSA**

Councilman DeRosa said last Friday he attended a Dutchess County planning board meeting, where he attended three site inspections for PMG grants, which are grants to benefit agricultural properties. Regarding PWD #2, the well is slowly getting hooked up, there are just a few more items to be completed. Regarding Whaley Lake Dam, the dam is about two inches below the top of the wooden weir boards and the lake is a little low.

### **SCHMITT**

Supervisor Schmitt said regarding PWD#2, the town did receive a grant for \$97,000.00, which will help with improvements at the district. Also, Bob Brill, highway superintendent is planning to blacktop the roads next year, which would include drainage.

Bob Brill, highway superintendent said regarding the Whaley Lake bridge, Peckham has agreed to donate 150 tons of material and he and supervisor Schmitt will bring the material over to Holmes, so there would be no cost to the residents. He understood they would be stockpiling the material for the bridge repair.

## **HOMETOWN HEROES PROPOSAL – PAWLING LIONS CLUB**

The board entertained a proposal by Renee DiPietro, resident from Harmony Road and volunteer for the Pawling Lions, and Krista Drensek, resident from Fenwood Drive and volunteer regarding the Hometown Heroes proposal by the Pawling Lions Club. They thanked the town for the work that was done to the Lions building at Murrow Park. Ms. DiPietro said she had done research with surrounding towns who have done these veterans banners on telephone poles. She explained the information to the Board, saying she would like to begin in the Village and branch out from there. There are a lot of ways to do this and every town is different. She felt there would be a lot of interest in Pawling and how it would be done would need to be discussed.

Supervisor Schmitt suggested Ms. DiPietro speak with the Village of Pawling.

Ms. DiPietro said she is in the process of contacting the Village and hoped to attend their next meeting.

Following further discussion, the board agreed they were in favor of this project and they would be happy to help any way they could.

## **KEY FOB ENTRY AT TOWN HALL**

Wendel Weber, supervisor of buildings & grounds said he got a quote from the company that does the town's alarm system of \$9,200.00 for this proposal. It comes with two twenty five packs of key cards and installation is also included, which would cover everyone. This would lower the cost of the buzzer system, if the board eventually wants to have that installed.

Following discussion, the board agreed they were in favor of this proposal and Mr. Weber would do some further research on including the Legion building in the proposal.

## **ROUTE 22 SEWER EXPANSION**

Supervisor Schmitt said the town has made it through the first round of funding for the grant for this project. This project is potentially running a sewer line down to the Patterson line. He suggested the board hold another workshop meeting as they have in the past for the people who live in the proposed district. He and councilman McCarthy have been spearheading this project.

Councilman McCarthy said Ron Laberge does have an updated list of who would be in the district and he also has a worst case scenario of costs.

Supervisor Schmitt said the board will work to get more information out on this by their second meeting in September.

Councilwoman Snow suggested offering a special time for a meeting, maybe later in the evening or weekends to make it easier for residents to attend.

Councilman DeRosa said the more information the board can get out to the public before a public hearing is schedule is beneficial. It is also beneficial for the board to understand the project. He felt a mailing should be done to residents in the proposed district, only five residents attended the last meeting.

Councilwoman Pitt said this will be a substantial project and public involvement is key. She suggested information on the proposed sewer district be put in a more user friendly place on the town's website. She felt any correspondence the town can push out would be beneficial and needed on this project.

## **PUBLIC COMMENT**

Brian Avery, director of the Pawling Free Library, said he recently took a job with the Mount Kisco Public Library so he would be moving down there in a couple of weeks. He thanked the town for partnering with the library and he hoped the town would continue to be great partners with the library in years to come. There is no one lined up at this time to take over the position.

The board thanked Mr. Avery for his efforts in Pawling and wished him luck in his future endeavors.

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

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Town Clerk