



Town of Pawling Town Board
Town Hall
160 Charles Colman Blvd
Pawling, NY 12564

TOWN BOARD Meeting

Wednesday May 8, 2019
7:00PM

James Schmitt, Supervisor
William Johnson, Deputy Supervisor / Councilman
Phil DeRosa, Councilman
James McCarthy, Councilman
Reid McGrath, Councilman

Cathy Giordano, Town Clerk

Meeting Agenda

- a) Roll Call of The Town Board
- b) Pledge of Allegiance
- c) Approval of Minutes
 - a. April 3, 2019
 - b. April 10, 2019
- d) Laberge Group: Benjamin Syden
- e) MS4 Report: Joanne Daley
- f) Consent Agenda
- g) Non Consent Agenda
- h) Discussion (Board members Only)
 - a. AirBnB
 - b. Greenway
 - c. Sewer
- i) Privilege of the Floor with respect to Agenda and Non - Agenda items (3 minutes)
- j) Adjournment

Consent Agenda

Resolution 2019066

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 2019---- to 2019----, now therefore, be it

Resolved, that the Pawling Town Board hereby accepts the vouchers as prepared and on the recommendation of the Bookkeeper hereby authorizes payment of said vouchers for the Town of Pawling on this date in the amount of \$-----

Resolution 2019067

Billing for Pawling Water District #1

Whereas, Pawling Water District #1 Bills need to be approved by the Pawling Town Board, and,

Whereas, the bills have been prepared and submitted in the amount of \$----- for the period of February 1, 2019 through April 30, 2019 by the Water District Clerk, and the Water District Clerk has recommended their approval, now therefore, be it

Resolved, that the Pawling Town Board hereby accepts the Billing as recommended for Pawling Water District #1.

Resolution 2019068

Facility Use Requests - Waiver / Fees

Whereas, the Town of Pawling operates facilities that from time to time will be used by the public for events when those facilities are not needed for the Town's own usage, and

Whereas, the Town Board sets the fees for the use of facilities, and

Whereas, the Director of Recreation will periodically receive requests to waive the fees and has recommended waiving the following fees for usage of Town facilities which are not needed for the Towns own usage during those date and times, and now, therefore, be it

Resolved, that the following fee waiver(s) have been authorized by the Town Board:

Chamber of Commerce
Peter Cris

Rotary Room
Chamber Meeting

May 7, 2019
7pm - 9pm

Nights Under the Lights Paul Miessner	Lathrop Auditorium Fundraising Event	May 3, 2019 6pm – 9:30pm
Pawling Fire Department Everett White	Lakeside Park Grounds PFD Carnival	August 7 – 10, 2019
Pawling Republican Committee Michael Keupp	Lathrop Auditorium Republican Caucus	May 16, 2019 5:30pm to 9:00pm

Resolution 2019069

Escrow Release – Daryl’s House

Whereas, the Town of Pawling currently holds \$4,956.71 balance in escrow for 13th Step LLC - Daryl’s House, and,

Whereas, the Planning Board Secretary has confirmed in a letter dated April 16, 2019 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 \$4,956.71 balance in escrow to 13th Step LLC - Daryl’s House and authorizes the Bookkeeper to release such funds.

Resolution 2019070

Approval of Planning Board Training Hours

Whereas, the Town of Pawling Planning Board is required to complete in 4 hours of training annually, and

Whereas, at the Planning Board meeting on April 1, 2019 Michael Liguori, Esq. provided 1.5 hours of training to the Planning Board covering the roles of the Planning Board as well as a discussion on farms relating to Town and Agriculture & Market zoning regulation, and

Whereas, the Town of Pawling Town Board must approve the training hours for the Planning Board, therefore, be it

Resolved, the Town of Pawling Town Board hereby approves 2 hours of training conducted by Michael Liguori, Esq. to the Planning Board on April 1, 2019.

Resolution 2019071

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$480,000 BONDS OF THE TOWN OF PAWLING, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF HEAVY DUTY HIGHWAY TRUCKS FOR THE HIGHWAY DEPARTMENT, IN AND FOR SAID TOWN.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of Pawling, Dutchess County, New York, as follows:

Section 1. The purchase of heavy duty highway trucks for the Highway Department, each of which costs \$15,000 or over, including incidental equipment and expenses in connection therewith, in and for the Town of Pawling, Dutchess County, New York, is hereby authorized at a maximum estimated cost of \$480,000.

Section 2. It is hereby determined that the plan of financing of said class of objects or purposes is by the issuance of \$480,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. It is hereby further determined that said class of objects or purposes may be financed with a lease purchase agreement pursuant to the provisions of Section 109-b of the General Municipal Law. The Supervisor is hereby delegated the power to determine the method of finance thereof and to enter into such a lease purchase agreement therefor.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. The faith and credit of said Town of Pawling, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property

of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

Non Consent Agenda

Resolution 2019072

Adoption of Procurement Policy

Resolution 2019073

Resolution 2019074