

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:30 PM March 10, 2010 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Watson, Mayer and approximately 12 interested citizens.

Supervisor Kelly opened the meeting for public comment on agenda items.

**PUBLIC
COMMENT ON
AGENDA ITEMS**

Harvey Matcovsky said he has been trying to obtain a list of people who have opted out of the Town's health insurance and a list of people who are on the health insurance and the cost of the health insurance to the Town.

Supervisor Kelly asked that Mr. Matcovsky see him after the meeting to discuss Mr. Matcovsky's request.

The motion to approve the minutes of February 3, 2010 and February 17, 2010 was made by Councilman Watson, seconded by Councilman Johnson, motion passed unanimously.

MINUTES

The motion to accept all resolutions included in the consent agenda was made by Councilman Watson, seconded by Councilman Upham, motion passed unanimously. Resolutions contained in the consent agenda are below.

**CONSENT
AGENDA
RESOLUTIONS**

**Resolution 201085
Regarding Golf Course Fees for 2010**

Whereas, the Town Board of the Town of Pawling sets the Green Fees for the Dutcher Golf Course, and

Whereas, the Golf Commission has made a recommendation to the Town Board to increase the fees for the 2010 season, now, therefore be it

Resolved, the Greens Fees for 2010 are as follows:

<u>Season Pass</u>	<u>Resident</u>	<u>Non-Resident</u>
Senior Individual	\$325	\$525
Senior Family	\$425	\$625
Individual	\$375	\$575
Family	\$525	\$725
Junior	\$100	\$175

Single Rounds Resident Non-Resident
Weekdays

Regular	\$13/\$16	\$16/\$21
Junior	\$11/\$13	\$13/\$15
League	\$13/\$15	\$15/\$17

Weekend /Holidays

Regular	\$16/\$19	\$19/\$24
Junior	\$13/\$15	\$15/\$17

Cart Fees:

9 Holes	\$16.00
18 Holes	\$20.00
Pull Carts	\$ 2.00

Operators of Motor Cart Must Show and Possess a Valid Drivers License.

**Resolution 201086
Regarding Health Insurance Buyout Employee Everett G. White**

Whereas, the Town of Pawling offers employees the ability to join into a buyout program of health benefits annually, and

Whereas, the Town of Pawling employees are required to inform the Town Board of their intention to receive the Buyout for the Health Insurance Plan at the start of each calendar year, and

Whereas, the employees must conform to the rules set within such buyout program, and

Whereas, employee Everett G. White was hired to a Permanent Maintenance Worker at the February 2010 Town Board meeting, now therefore be it

Resolved, that the Town Board of the Town of Pawling hereby grants the Insurance Buyout to employee Everett G. White prorated for 11 months of the 12 months in accordance to Town Law.

Resolution 201087
Regarding Facilities Use Request Pawling Central School District

Whereas, the Town of Pawling receives requests for use of town owned property from public organizations and businesses along with Not for Profits, and

Whereas, the Recreation Director is the contact for such requests, and

Whereas, the Recreation Director will make the request to the Town Board to approve certain requests due to complexity of the request, and

Whereas, the Pawling Central School District has requested the use of Lakeside Park to hold the Graduation Ceremonies for 2010 as they have done in the past, now, therefore be it

Resolved, that the Pawling Central School District is hereby granted the use of Lakeside Park for the Graduation Ceremonies for the Class of 2010 on the date of June 25, 2010 and set up date of June 23, 2010 and be it further,

Resolved, that a copy of this resolution be forwarded to the Chief Constable and that the School District will adhere to all of the Town Park rules and will coordinate the graduation ceremony details with said Chief Constable.

Resolution 201088
Regarding Tax Certiorari – Spera Salvi, et. al.

Whereas, a tentative settlement has been agreed to between the Town of Pawling and Spera Salvi, et. al. for tax year 2008, and

Whereas, it is in the best interests of the Town of Pawling and its residents that the settlement be approved, now therefore be it,

Resolved, that the Pawling Town Board hereby accepts the recommendation of the Town Assessor and Counsel in a letter dated February 17, 2010 to settle the matter of a Tax Certiorari with Spera Salvi, et. al., and be it further

Resolved, that the assessments on all parcels included be reduced in value within as recommended by the Assessor and Counsel.

Resolution 201089
Regarding Tax Certiorari – Roberta & Michael DelBiondo, et. al.

Whereas, a tentative settlement has been agreed to between the Town of Pawling and Roberta & Michael DelBiondo, et. al. for tax year 2009, and

Whereas, it is in the best interests of the Town of Pawling and its residents that the settlement be approved, now therefore be it,

Resolved, that the Pawling Town Board hereby accepts the recommendation of the Town Assessor and Counsel in a letter dated February 18, 2010 to settle the matter of a Tax Certiorari with Roberta & Michael DelBiondo, et. al. and be it further

Resolution 201091
Regarding the Payment of Bills for the Town of Pawling

Whereas, the Town of Pawling Bookkeeper has reviewed and prepared the vouchers for the month of February 2010 and has offered them for review, and

Whereas, the vouchers have been numbered 153 through 286, 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 in the amount of \$1,100,864.06.

Supervisor Kelly amended the resolution to add the numbers 153 through 286 and the amount of \$1,100,864.06, seconded by Councilman Johnson, motion passed unanimously.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson	“AYE”	Councilman Upham	“AYE”
Councilman Watson	“AYE”	Councilman Mayer	“AYE”
Supervisor Kelly “AYE”			

Resolution 201092
**Regarding Award of Heating and Air-conditioning System Contract
for the Teen Center**

Whereas, the Town of Pawling has requested proposals for the supply and installation of a new heating and air conditioning system in the building known as the Teen Center at Lakeside Park, and

Whereas, the Town of Pawling opened these proposals on March 2, 2010 at 11:30 AM, now therefore, be it

Resolved, that Wilson Oil Company was the low bidder, providing a price of \$48,300.00, and, further be it

Resolved, the Town Board of the Town of Pawling has reviewed all bids for conformance and awards the contract for the supply and installation of the heating and air conditioning system in the Teen Center to Wilson Oil Company.

MOTION: Councilman Watson
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson	“AYE”	Councilman Upham	“AYE”
Councilman Watson	“AYE”	Councilman Mayer	“AYE”
Supervisor Kelly “AYE”			

Resolution 201093
Setting the salary of the Town Attorney

Whereas, the salary of the Town Attorney had been set in the adoption of the 2010 budget in November of 2009, and

Whereas, the salary was reduced from \$40,315.00 to \$30,000.00 as part of the budget adoption.

Whereas, the Supervisor as Chief Fiscal Officer of the Town has deem that there is sufficient funds to transfer within the department budget lines to fund as increase in the personnel line within said department, now, therefore be it

Resolved, that the Town Board of the Town of Pawling hereby authorizes the transfer of funds as follows:

Decrease: 1420.400-A from \$57,500.00 to \$47,500.00

Increase: 1420.100-A from \$30,000.00 to \$40,000.00

and further be it

Resolved: that the Town Board hereby set the salary of the Town Attorney at \$40,000.00 for the year 2010.

MOTION: Supervisor Kelly

SECOND: Councilman Johnson

Councilman Watson asked Supervisor Kelly to give detail on what he thought would be reduced in cost this year so that this adjustment can be made.

Supervisor Kelly said one of the Town's lawsuits, which could have been substantial, has been relinquished in the courts in the Town's favor and there probably will not be an appeal. Also, he has been in contact with the Town's labor counsel regarding negotiations to the union contract and the potential bargaining of the second union if it is certified and he was told the Teamsters are willing to sit down at the table and speedily negotiate a contract. So there should be enough money in the budget to reduce the line. The previous Town Attorney used some of the contractual monies for planning board and zoning board issues and the new Town Attorney will not be doing that which will be a great savings. The \$40,000.00 is less than what the previous Town Attorney was making.

Councilman Watson said it is significantly less because of the contractual expenses the previous Town Attorney was also receiving which are now not going to be received as contractual expenses. The planning board and zoning board matters were paid as additional compensation and now they are part of the contract.

Councilman Mayer felt this resolution was terrible and he did not agree with it. The Town Attorney knew when he signed the contract what the salary was and he did not agree with increasing it.

Councilman Watson said although the salary is being increase but there is no cost to the Town because the money is already there.

ROLL CALL VOTE:

Councilman Johnson "AYE"

Councilman Upham "AYE"

Councilman Watson "AYE"

Councilman Mayer "NAY"

Supervisor Kelly "AYE"

Resolution 201094
Budget Adjustment and Transfers

Whereas, the end of each year certain budget adjustments and transfer need to be made to close out the financial books of the previous year, and

Whereas, the Bookkeeper has provided a list of such adjustments, now, therefore be it

Resolved, that the Town Board of the Town of Pawling hereby authorizes the transfer of funds as requested by the Bookkeeper as attached.

MEMO: February 17, 2010

FROM: Gerald A. Terwilliger, Town Bookkeeper

TO: Town Supervisor and Town Board Members

SUBJECT: Final Budget Adjustments and Transfers for 2009

NON CONSENT
AGENDA
RESOLUTIONS
CONTINUED

General Fund			
Increase	1420.4A	Attorney Contr.	700.00
Decrease	1650.4A	Central Comm. Contr.	700.00
Increase	1680.4A	Central Data Proc. Contr.	7,000.00
Decrease	1910.4A	Unallocated Ins. Contr.	7,000.00
Increase	7020.1A	Rec. Admin. – P.S.	200.00
Decrease	7145.1A	Teen Center – P.S.	200.00
Increase	8160.1A	Refuse & Garbage – P.S.	1,120.00
Increase	8160.4A	Refuse & Garbage – Contr.	1,980.00
Decrease	9010.8A	State Retirement	3,100.00
Increase	9030.8A	Social Security	1,200.00
Increase	9035.8A	Medicare	200.00
Decrease	9060.8A	Health&Med. Ins.	1,400.00
General Fund – Outside Village			
Increase	3620.1B	Bldg. Insp.-P.S.	1,400.00
Increase	3620.4B	Bldg. Insp.-Contr.	700.00
Decrease	3620.2B	Bldg. Insp.-Equip.	2,000.00
Decrease	8010.1B	Zoning-P.S.	100.00
Increase	050.8B	Unemployment Ins.	1,500.00
Decrease	9060.8B	Health & Med. Ins.	1,500.00
Increase	8020.1B	Planning – P.S.	4,400.00
Decrease	8020.4B	Planning – Contr.	4,400.00
Highway Fund – Outside Village			
Increase	5142.4DB	Snow Removal-P.S.	16,000.00
Increase	2680.0DB	Insurance Recoveries	9,500.00
Increase	2701.0DB	Refund Pr. Yr. Expense	6,500.00
Increase	5142.4DB	Snow Removal-Contr.	26,000.00
Increase	2300.0DB	Trans. Svcs.-Other Govts.	26,000.00
Increase	5130.4DB	Machinery-Contr.	6,000.00
Decrease	5130.2DB	Machinery-Equip.	6,000.00
Increase	5110.4DB	General Repairs-Contr.	3,000.00
Increase	5142.4DB	Snow Removal-Contr.	10,500.00
Decrease	9060.8DB	Health & Med. Ins.	3,000.00
Decrease	9089.8DB	Medicare Reimb.	10,500.00
Water District #2			
Increase	8310.4SW2	Water Admin.-Contr.	100.00
Decrease	8330.4SW2	Water Purification –Contr.	100.00

MOTION: Councilman Watson
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson	“AYE”	Councilman Upham	“AYE”
Councilman Watson	“AYE”	Councilman Mayer	“AYE”
Supervisor Kelly “AYE”			

COTTAGE ROW
DEMOLITION RFP

Councilman Watson said the cottage row demolition bids were received. He contacted the Town Attorney and found that the Board cannot award just a portion of the award for the asbestos abatement or for the demolition.

The motion authorizing Supervisor Kelly, Wendel Weber/Supervisor of Buildings & Grounds and Councilman Watson to revise the cottage row RFP and to break it into two sections for the economic benefit of the Town and this document to then be reviewed by the Town’s Attorney and released before the April Town Board meetings was made by Councilman Watson, seconded by Councilman Johnson, motion passed unanimously.

EVERETT
WHITE/BONE
Marrow
DONATION & USE
OF
UNALLOCATED
SICK TIME

Supervisor Kelly said he had three things he needed to bring to the Board. He explained that he received notification from the new “permanent” Town worker Everett White that he would be donating bone marrow and in order to do this, he

would need to take a couple of days off without pay as he has not accrued any sick time as of yet.

Following discussion, Councilman Johnson made a motion to allow Everett White to use unallocated sick time for the purpose of "Harvesting Bone Marrow" for the purposes of donation to 2 year old child, seconded by Councilman Upham, motion carried unanimously.

Supervisor Kelly said he received no comments on the proposed local law regarding parking on Town property so that can be sent out tomorrow.

Supervisor Kelly explained that there was an issue with some property damage at Murrow Park at the beginning of February. The matter is before the District Attorney's Office and he would be available after the meeting to talk to Board members about this. Wendel Weber, Supervisor of Buildings & Grounds needs to obtain three bids to repair the damage to the property and that information needs to be sent to the District Attorney's Office.

Supervisor Kelly opened the floor for public comment.

Harvey Matcovsky alerted the Board to an article in the Pawling Press written by Lucy Watson regarding school taxes and doing more with less. He has been at recent School Board meetings and he felt they were trying to do anything they could to keep expenses down and he complimented them. It is time for the Town Board to also get on board with doing more with less. He felt that allowing unlimited expenses for conferences was not the proper way to do business. As far as the Town Attorney, he wasn't sure of all of the details in the contract but Councilman Mayer makes a good point about the Town Attorney's salary at \$30,000.00. He did not know if he was paid as an employee but the Board might want to consider paying him as a private contractor. Regarding shared services, he wondered what was happening with that. Regarding health insurance, he felt that non-union retirees should be offered Medicare. He has this plan and he is very happy with it and it would be a great savings to the Town.

Supervisor Kelly said regarding the conferences, the spending for conferences would be within the budget lines. Regarding the Town Attorney, Mr. Matcovsky heard the Board's discussion about that so there is a difference of opinion. Regarding the shared services, there really aren't any shared services and what that is, is an agreement to look at a potential property for the viability of share services. This is something he and Councilman Mayer will be getting together about soon. He would contact Mr. Matcovsky to discuss his comments on Medicare.

Phil DeRosa submitted information to the Board he received from Dutchess County Water Wastewater Authority regarding Water District "K" (previously Shorehaven Water District) saying there has been improvements to the water quality over this past year that the County has taken over the water system. Mr. DeRosa stated that the gutters at the HWLCA need work so that the water coming off of the roof will be pitched away from the building. He and his son have been working on the lower level ceiling at the HWLCA and he felt that because the Library was interested in the possibility of a satellite location, maybe the ceiling should be sanded and a third coat of spackle applied and then paint the ceiling. Vinny DiMarco has offered to do the sanding. He commended Everett White for donating his bone marrow. It meant a lot to Mr. DeRosa being a Leukemia patient himself.

Supervisor Kelly thanked Mr. DeRosa and his son for their work at the HWLCA building.

John Daley, Highway Superintendent told the Board that he has decided to schedule bulk pickup day for Monday, April 26th. This is being done on a Monday instead of a Saturday in order to save money on over time. The notice regarding bulk pickup has been posted to the Town website by the Town Clerk and the local newspapers were notified.

Supervisor Kelly said he has been in touch with the Resource Recovery Agency about doing Electronics Recycling Day again in Pawling and it will be held this year in May and he will get that date to everyone and put it on the website.

Jeff Asher asked if 2009 ended in a deficit.

**MARCH 10, 2010
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EVERETT
WHITE/BONE
Marrow
DONATION & USE
OF
UNALLOCATED
SICK TIME
CONTINUED**

**MURROW PARK
PROPERTY
DAMAGE**

**PUBLIC
COMMENT**

Supervisor Kelly said the annual report is not finished yet and that will give the Board the final numbers. The annual report has to be done and sent to the State by the end of the month.

Mr. Asher felt the quickness of the Board responding to the Everett White situation was great. He congratulated Wendel Weber on repairing the faucet in the ladies room at the Legion building.

Diana Cretella invited everyone to the Pattern for Progress meeting which is scheduled for March 25, 2010 at the Village Hall at 7:00 PM. The topic will be assisting young people to grow into productive, healthy and substance free individuals. She felt there was a tremendous need here for intervention and felt the Town and Village should take an active stand in helping our young people to be the best that they can be.

The motion to adjourn was made by Councilman Johnson at 8:10 PM, seconded by Councilman Watson, motion passed unanimously.

Town Clerk