

Supervisor David P. Kelly opened the Workshop Meeting of the Town Board of the Town of Pawling at 7:30 PM June 2, 2010 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Watson and approximately 30 interested citizens. Councilman Mayer was absent.

**JUNE 2, 2010
TOWN BOARD
WORKSHOP
MEETING**

Supervisor Kelly offered an amendment to the agenda to add resolutions 138 and 139 to be added to the agenda, seconded by Councilman Johnson, motion passed unanimously.

**ADDITION OF
RESOLUTIONS 138
& 139**

The Board entertained a presentation by Christopher Meagher, Chairman of the Town of Pawling Board of Ethics. He stated that the Board of Ethics was recently appointed by the Town Board and are trying to get organized and find their way as a Board. He stated that the Board of Ethics has had a few organizational gatherings and they would need a clerk to record the monthly meetings they plan to have. They will also need an attorney and they would embrace the Town Attorney but are asking for some mechanism to be put in place so that should they be obligated to incur costs, those can be taken care of. They would like to have a mechanism so that they can organize themselves without being in violation of the Open Meetings Rules and still facilitate what they are hoping to accomplish. They have had two informal meetings already of an organizational nature and their first meeting will be on Wednesday, June 9, 2010. He asked the Board for guidance as to what would be a good standing monthly meeting date as they plan to meet for the next two or three months. He said the Board of Ethics looks forward to working with the Town Board.

**PRESENTATION
BY THE TOWN OF
PAWLING BOARD
OF ETHICS**

Supervisor Kelly said he would speak to the Town Clerk tomorrow and get back to Mr. Meagher as to what arrangements can be made for a clerk to the Board of Ethics. He would also speak to the Town Attorney regarding an attorney for the Board of Ethics. He said he would contact with Mr. Meagher as soon as he had the information.

The Board discussed various proposed resolutions for placement on the June 9, 2010 agenda. Following discussion and various presentations, it was agreed that Resolutions 2010131, 2010132, 2010133 and 201099 would be placed on the June 9th agenda.

RESOLUTIONS

The Board entertained a presentation by the Pawling Free Library regarding resolution 2010128 relating to a funding request by the Library in which Karen DiGenaro reviewed statistical information for children's programs at the Library. Drew Nicholson, President of the Library and Brian Smith, Treasurer were also present and spoke to the need for the additional funding request.

**PAWLING FREE
LIBRARY
PRESENTATION**

Supervisor Kelly said he is torn about this request because he does support the Library but the Board is doing without an assistant and the Town Hall is at its lowest staffing point ever. He has to prepare a budget and the numbers are not good as revenues are down.

Councilman Watson felt the Board needed details on the Library's budget, particularly regarding personnel.

Councilman Johnson suggested small fees be charged on certain programs in order to generate monies.

Following further discussion, the Board agreed that Resolution 2010128 regarding additional funding for the Library would be placed on the June 9, 2010 agenda.

Supervisor Kelly said Resolution 2010134 regarding the Acceptance Change Order Cottage Row would need to be discussed in Executive Session after the meeting.

**RESOLUTIONS
CONTINUED**

Following further discussion, the Board agreed that Resolutions 2010135, 2010136 and 2010137 would be placed on the June 9th agenda.

Councilman Upham explained that he has been working with Emery & Webb regarding the Town's insurance. He thanked Ms. Johnson for all of her hard work. He thanked Town employees for working with Lori Johnson of Emery & Webb and helping her get all of the information she needed. Emery & Webb is the broker of record and she is here tonight to let the Board know her findings about renewing Town insurance.

**TOWN
INSURANCE**

Lori Johnson introduced John Webb, President of Emery & Webb. She explained that she received two proposals from insurance companies, one from American Alternative Insurance who is the current insurance company and also from Selective Insurance Company. Selective Insurance Company has come in with equal

or better overages with a savings in premium of \$12,000.00 and the premium would go from \$110,000.00 to \$97,000.00. She has numerous recommendations to make to the Town Board on how to lower the premiums going forward.

Mr. Webb thanked the Board for the opportunity to be here tonight and offered to answer any questions the Board may have.

Supervisor Kelly said the Triathlon in on Saturday and he asked if the Town would be able to get the proper insurance for that event.

Ms. Johnson said yes, if the Board makes the decision tonight, they will have an insurance certificate tomorrow.

Following further discussion, Supervisor Kelly said because the Board needs to act on this tonight, he made a motion to take public comment on the insurance issue tonight, seconded by Councilman Upham and passed with the following roll call vote:

Councilman Johnson "ABSTAINED" Councilman Upham "AYE"

Councilman Watson "AYE" Councilman Mayer "ABSENT"

Supervisor Kelly "AYE"

Supervisor Kelly opened the meeting for public comment.

Harvey Matcovsky asked what Selective Insurance Company's rating is.

Councilman Upham said Selective's rating is A+.

There were no further comments from the public.

Supervisor Kelly introduced an amendment to Resolution 138, designation of Insurance Company, to add in the first "Resolved" to accept the Selective quote at the premium of \$97,607.93, seconded by Councilman Upham and passed with the following roll call vote:

Councilman Johnson "ABSTAINED" Councilman Upham "AYE"

Councilman Watson "AYE" Councilman Mayer "ABSENT"

Supervisor Kelly "AYE"

**Resolution 2010138
Designation of Insurance Company**

Whereas, the Town of Pawling hold Insurance to cover all aspects of their Liability needs, and

Whereas, the current Policy is due to expire on June 4, 2010, and

Whereas, the Town Board is in need to purchase or renew policies to cover the needs of the Town for a period of June 4, 2010 to June 4, 2011, now, therefore be it

Resolved, that the Town of Pawling hereby accepts Emery & Webb at a cost of \$97,607.93 as the Company to Insure the Town of Pawling, and, further, be it

Resolved, that the Town Supervisor is hereby authorized to sign any and all documents to notify the current carriers of such change for the Town of Pawling.

MOTION: Supervisor Kelly
SECOND: Councilman Upham

ROLL CALL VOTE:

Councilman Johnson "ABSTAINED" Councilman Upham "AYE"

Councilman Watson "AYE" Councilman Mayer "ABSENT"

Supervisor Kelly "AYE"

Supervisor Kelly said the following Resolution will let New York State know that the Town is in support of the project so that they can move forward with obtaining grant monies.

RESOLUTION 2010139

TOWN OF PAWLING TOWN BOARD

**RESOLUTION EXPRESSING TOWN INTENTION
TO SUPPORT INFRASTRUCTURE
IMPROVEMENT FOR PROPERTIES LOCATED
ON NEW YORK STATE ROUTE 22**

WHEREAS, JUCCA Company and Castagna Realty Company are owners and developers of 196.5 acres located in the Town of Pawling on the east side of Route 22; and

WHEREAS, such property has been the subject of comprehensive reviews commencing with a concept plan application for Planned Development District approval in March, 1995, which concept plan was reviewed pursuant to the State Environmental Quality Review Act (“SEQRA”), with the Town of Pawling Planning Board serving as Lead Agency for the environmental review process; and

WHEREAS, the actions taken included a

- Positive SEQRA declaration on October 21, 1996;
- Draft Environmental Impact Statement acceptance on August 4, 1997;
- Public Hearing on DEIS held September 2, 1997 and closed September 15, 1997;
- A Final Impact Statement (“FEIS”) accepted on May 18, 1998;
- Planning Board adopted a Findings Statement on June 15, 1998; and

WHEREAS, PDD review and approvals including the Planning Board issuing a written recommendation to the Town Board dated July 6, 1998 recommending favorable action on the applicant’s request for preliminary plan approval and the rezoning of the applicant’s property to PDD; and

WHEREAS, the Town Board issued a SEQRA “Findings” Statement on July 14, 1998; and

WHEREAS, the project was granted a PDD Overlay approval on July 14, 1998 with the PDD Preliminary Plan approved on August 11, 1998; and

WHEREAS, as required by the Zoning Ordinance of the Town of Pawling, the preliminary plan approval permitted the applicant to then file a site development plan for Phase I of the overall project, as permitted by Section 215-36(1), Section 215-47 (“Site Plans”), which included a Phase I providing for the construction of the

SUPPORT OF
INFRASTRUCTURE
FOR ROUTE 22
PROPERTIES
CONTINUED

main access drive from Route 22 in the office/industrial component of the PDD, located on the northeastern portion of the property, this component comprised of 300,000 square feet of office/industrial use with 1,050 parking spaces on approximately 35 acres of the site, which site plan approval of this Phase I development was granted on June 21, 2004; and

WHEREAS, approvals were thereafter granted for a medical office building consisting of 65,660 square feet to be located on the east side of New York State Route 22; and

WHEREAS, both approvals remain in full force and effect and it is the intention of the property owner to proceed with development; and

WHEREAS, the review process which culminated in these approvals was comprehensive, and the approvals thereafter granted evidence not only compliance with the Code of the Town of Pawling, but support for such development; and

WHEREAS, it is altogether appropriate and consistent with sound, land development and planning practice to consider environmentally prudent approaches for treatment and disposal of sewage; and

WHEREAS, Castagna Realty Company and JUCCA have, and continue to, examine funding sources and alternatives for sewage services to its property and that of other properties located on New York State Route 22; and

WHEREAS, it is the intention of this Town Board to support such environmentally sound practices, including the potential formation of a special district under New York State Town Law to provide environmentally sound sewage services which will no doubt inure to the benefit of the community, positive economic development for the Town, and consistent with providing for the health, safety and welfare of all residents;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Pawling hereby expresses its intention to support the creation and formation of any and all necessary special districts and associated activities, to the extent necessary and if in the Town's best interest, necessary to provide economically and environmentally sound infrastructure, including sewage services, for the development of the property owned by JUCCA Company, including supporting Castagna Realty Company in its efforts to develop the property in a manner consistent with the approvals previously granted.

Phil DeRosa suggested the master plan be reviewed in sections with meetings to follow each section as it is released. He is sad Holmes would be the first thing cut if the Library does not get the additional funding. Regarding the facilities use for the church, he was concerned other churches may want to utilize the park and it needs to be looked at regarding the separation of church and State.

Mary Ann Place updated the Board on the progress of the Game of Pawling.

Harvey Matcovsky said people in Town are generous and are helping when they can, which is encouraging and announced that there will be a fund raiser for the Library and the Resource Center. He encouraged everyone to support the school budget and attend the School Board meeting on Monday. He said the Shared Services grant process needs to move forward.

Steven Solozzo felt the public should be able to see the Master Plan and comment on it. He felt the resolution the Board passed regarding expanding the sewer was a step in the right direction for encouraging business in the Town.

Supervisor Kelly said the Master Plan will be available to the public. The Board is trying to figure out what the best way is to release it to the public.

Matthew Martin from Cricket Valley Energy said they will be coming before the Town Board to make a presentation in July but in the meantime, they are going through the SEQRA process. He said there would be a public scoping session with public comments to be accepted from May 3 through June 18. There will be two hearings, June 5th at 9 AM and June 9th at 7 PM. If people wanted more information, they could visit the Cricket Valley Energy website.

Wendel Weber thanked Councilman Upham and County Legislator John Thomes for attending the Shorehaven Civic Association meeting. He thanked Supervisor Kelly for helping with Whaley Lake Cleanup Day.

Supervisor Kelly announced that the June 9, 2010 Town Board meeting would begin at 6:30 PM so that the Board may entertain a presentation by County Legislators regarding County Government.

**EXECUTIVE
SESSION**

The motion to enter Executive Session was made by Supervisor Kelly to discuss pending litigation at 9:40 PM, seconded by Councilman Johnson, motion passed unanimously.

The motion to return to regular session was made by Supervisor Kelly at 10:05 PM, seconded by Councilman Upham, motion passed unanimously.

The motion to adjourn was made by Supervisor Kelly at 10:06 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk