

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:30 PM August 11, 2010 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Watson and approximately 10 interested citizens. Councilman Mayer was absent.

The motion to approve the minutes of July 7, 2010 and July 14, 2010 was made by Councilman Johnson, seconded by Councilman Upham and passed with the following roll call vote:

MINUTES

Councilman Watson said he would abstain due to the fact that he was absent for one of the meetings.

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Mayer – “ABSENT”

Councilman Watson – “ABSTAINED”

Supervisor Kelly – “AYE”

PUBLIC COMMENT ON AGENDA ITEMS

Supervisor Kelly opened the meeting for public comment and there was none.

The motion to approve the Resolutions in the consent agenda was made by Councilman Johnson, seconded by Councilman Upham, motion passed unanimously. Resolutions included in the consent agenda are below.

RESOLUTIONS – CONSENT AGENDA

**Resolution 2010156
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 \$2,591.95 for the period of May 2010 through July 2010 by the Water District Clerk, now therefore, be it

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

**Resolution 2010159
Green Mountain Lake Dam – EAP**

Whereas, the Green Mountain Lake Dam located within Lakeside Park must have an Emergency Action Plan (EAP) pursuant to the New York State Department of Environmental Conservation requirements, and

Whereas, the town of Pawling building and grounds Department has solicited bids to perform the EAP on Green Mountain Lake Dam, now, therefore, be it

Resolved, that the town board does hereby authorize the firm Fuss and O’Neill to proceed with the drafting the EAP at a cost of \$13,000 and to hold the down stream property owners information sessions at a cost not to exceed \$900, and, be it, further

Resolved, that all costs associated with the EAP for Green Mountain Lake Dam were in compliance with the Town of Pawling’s procurement policy.

Supervisor Kelly said Resolution 155 regarding Designation of EAP Coordinator was added to the agenda at last week’s Workshop Meeting and would be added to the non-consent agenda.

RESOLUTIONS – NON-CONSENT AGENDA

Supervisor Kelly moved to the non-consent agenda.

**Resolution 2010155
Designation of EAP Coordinator**

Whereas, the Town of Pawling is required to appoint a Emergency Action Plan Coordinator for the purposed of Promulgation and Concurrence, and

Whereas, such designation is intended for the Whaley Lake Dam ID #230-0625, now, therefore, be it

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There were no further public comments.

EXECUTIVE
SESSION

The motion to enter Executive Session to discuss litigation was made by Supervisor Kelly at 7:50 PM, seconded by Councilman Johnson, motion passed unanimously.

The motion to return from Executive Session was made by Councilman Upham at 8:15 PM, seconded by Councilman Johnson, motion passed unanimously.

MOSS VS. TOWN
OF PAWLING

Supervisor Kelly made a motion that in the case of Moss vs. Town of Pawling, that the Town Board accept the recommendation of the attorney from the firm McCabe & Mack, LLP, the recommendation in the letter from McCabe & Mack, LLP dated July 29, 2010, seconded by Councilman Johnson, motion passed unanimously.

The motion to adjourn was made by Councilman Johnson at 8:17 PM, seconded by Councilman Upham, motion passed unanimously.

Town Clerk