

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:30 PM October 13, 2010 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Watson, Mayer and approximately 35 interested citizens.

The Board entertained a presentation by the Holmes Cub Scouts regarding the erection of a "Peace Pole". Boy Scouts Andrew Scalice, Ellijah Batista, Zachary Brady, Jacob Grolodner, Collin Spens and Nathaniel Semel each gave the Board certain details of the proposed "Peace Pole", stating that among other things, the pole represents peace and it would look good. It would show that people need to work together to make peace. The Scouts explained that the "Peace Pole" would be approximately 11 feet tall and was donated by Sean Dalrymple and the presented photographs of it to the Board. The Scouts stated that they would like the "Peace Pole" to be located in the area of the Holmes Pond Dam.

HOLMES CUB SCOUT PRESENTATION ON PROPOSED PEACE POLE AT HOLMES POND DAM

Following discussion, it was agreed that the Boy Scouts would work out a good location near the Holmes Pond Dam for the "Peace Pole" with Wendel Weber, Supervisor of Buildings & Grounds.

The motion to allow the Scouts to erect their "Peace Pole" at the Holmes Pond was made by Supervisor Kelly, seconded by Councilman Upham, motion passed unanimously.

The Board entertained a presentation by Mike Purcell, Chairman of the Conservation Advisory Board, regarding a joint effort by ELLA regarding streams. It is a collaboration to improve water quality and this project is funded for the next three years and he suggested the Town participate in order to possibly obtain monies for stream restoration of certain streams. He suggested coming back before the Board with additional information and give a more in depth presentation.

CONSERVATION ADVISORY BOARD PRESENTATION ON STREAMS

The Board agreed to entertain a more in depth presentation at a future workshop meeting.

John Daley, Highway Superintendent introduced new Highway Department employee Gordon Hoag. He will begin with the department on Monday and Mr. Daley felt he would work out fine.

GORDON HOAG - NEW HIGHWAY EMPLOYEE

Supervisor Kelly thanked Mr. Daley for introducing Mr. Hoag to the Board, saying there were many applications for this job and he welcomed Mr. Hoag to the Town of Pawling.

The motion to approve the minutes of August 4, 2010, August 11, 2010, September 1, 2010 and September 8, 2010 was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

MINUTES

Supervisor Kelly opened the floor for comments on agenda items only.

PUBLIC COMMENT ON AGENDA ITEMS

Jeff Asher thanked Supervisor Kelly for bringing the Boy Scouts in for the presentation before the Board.

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

CONSENT AGENDA RESOLUTIONS

**Resolution 2010172
Acceptance - Removal of Consideration Lakeside RFI**

Whereas, the Town of Pawling has received responses to a Request For Information (RFI) to Lakeside Park, and

Whereas, Town Board members have reviewed, discussed and held meetings with the respondents of the RFI, and

Whereas, the town continues to receive interest in the future use of Lakeside Park by outside organizations and or developers, now, therefore, be it

Resolved, the Town of Pawling hereby accepts the request from Diana Cretella to be removed from consideration of the Town of Pawling Lakeside Park RFI.

**Resolution 2010178
2011 Budget Meetings**

CONSENT
AGENDA
RESOLUTIONS
CONTINUED

Whereas, the Budget Officer / Supervisor of the Town of Pawling has presented the 2011 operational budget to the Pawling Town Board, and

Whereas, in the best interest of the Town residents, the budget officer will hold scheduled meetings of the Town Board along with Department Heads to review and discuss each department's requested and proposed 2011 budget, now, therefore, be it

Resolved, that the Town Board will hold Budget review meetings on Wednesday, October 20, 2010 and Wednesday, October 27, 2010 at 7pm at 160 Charles Colman Blvd, Pawling.

**Resolution 2010170
Billing - Pawling Water District #2**

Whereas, Pawling Water District #2 Bills need to be approved by the Pawling Town Board, and

Whereas, the bills have been prepared and submitted in the amount of \$14,353.45 for the period of June 1, 2010 through September 30, 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 #2.

NON-CONSENT
AGENDA
RESOLUTIONS

Supervisor Kelly moved to the non-consent agenda.

**Resolution 2010171
Regarding the Payment of Bills for the Town of Pawling**

Whereas, the Town of Pawling Bookkeeper has reviewed and prepared the vouchers for Payment in September 2010 and has offered them for review, and

Whereas, the vouchers have been numbered 1206 to 1364, now therefore, be it

Resolved, that the Pawling Town Board hereby accepts the vouchers as prepared and on the recommendation of the Bookkeeper, the Town Board hereby authorizes payment of said vouchers in the amount of \$248,258.70.

MOTION: Councilman Johnson

SECOND: Councilman Upham

ROLL CALL VOTE:

Councilman Johnson "AYE"

Councilman Upham "AYE"

Councilman Watson "AYE"

Councilman Mayer "AYE"

Supervisor Kelly "AYE"

**Resolution 2010173
Negotiating Shared Development of Lakeside Park**

Whereas, the Town of Pawling has received proposals in response to our request for interest in developing Lakeside Park cooperatively with private organizations, and

Whereas, the Town Board has evaluated all proposals, including the additional detailed responses to questions and follow up proposals, and

Whereas, the Town Board has completed all due diligence possible without opening up negotiations with the interested partners, now, therefore, be it

Resolved, that the Town of Pawling appoints the following Town Board members, _____ and _____ to act as Liaisons for

purpose of negotiating and finalizing shared development projects at Lakeside Park with Scarz Development Group.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Following discussion, Supervisor Kelly made a motion to table Resolution 2010173, seconded by Councilman Johnson, motion passed unanimously.

The motion to continue discussions with Scarz Development Group on specific projects, one project being the barn as a theater school and the other being a hotel was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

**Resolution 2010174
Facility Use Fee – Lakeside Park**

Whereas, the Town of Pawling Town Board has adopted a “Fee Schedule” of the use of town owned properties, and

Whereas, Lakeside Park is the site of the 2010 New York State Cross Country Championships in which multiple races will be run at Lakeside Park prior to the State Meeting in November, and

Whereas, the Town of Pawling Recreation Department, Buildings and Grounds Department and the Town Constables will be needed for each event to assist in the operation of such events and,

Whereas, the four (4) Cross Country meets had at Lakeside Park will require many hours of services by these departments which fall outside their budgeted duties, now, therefore, be it

Resolved, the Town Board hereby set the “Use Fee” for Lakeside Park only for the 2010 New York State Cross Country Meet and all other races associated with such meet to be \$1,500.00 to include the use of the entire Lakeside Park grounds and buildings, and, be it, further

Resolved, that all costs associated with personal, equipment, supplies and contractors to the Town of Pawling will be billed for reimbursement, and, be it, further

Resolved, that all salaried employees will be paid for their work time at a overtime rate equal to that of their hourly rate based on their normal work week.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Supervisor Kelly offered an amendment to the Resolution in the fourth Whereas because he has been notified that there would actually be five cross country events, seconded by Councilman Johnson, motion passed unanimously.

Councilman Watson offered an amendment in the first Resolved after “all other races associated with such meet”, to also say “As well as the Invitational’s”, seconded by Supervisor Kelly, motion passed unanimously.

ROLL CALL VOTE:

Councilman Johnson “AYE” Councilman Upham “AYE”

Councilman Watson “AYE” Councilman Mayer “AYE”

Supervisor Kelly “AYE”

**Resolution 2010176
Town Wide Financial Management System**

Whereas, the Town of Pawling’s currently operates a financial management system that is currently outdated and unsupported by a maintenance contract, and

**Resolution 2010181
Pawling Free Library**

**NON-CONSENT
AGENDA
RESOLUTIONS
CONTINUED**

Whereas, the Pawling Free Library has been serving the residents of the Town and Village of Pawling along with the surrounding area for years, and

Whereas, the Pawling Free Library has requested to list their funding from the tax base of the Town of Pawling outside of Town's operational budget and to be listed on the Tax Bill such as the Pawling Fire District, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby authorizes the Pawling Free Library funding amount each year to be removed from the Town Budget and relocated it on the Tax Bill as a separate line item, and, be it, further

Resolved, that a copy of this resolution be forwarded to the Pawling Tax Collector, Dutchess County Legislature, Dutchess County Real Property and Dutchess County Office for Computer Informational Services.

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 2010182
Highway Snow and Ice Control Program**

Whereas, the Town Superintendent of Highways has been requested by the County of Dutchess participate in the regional County Highway Snow and Ice Control Program within the boundaries of the town, and

Whereas, the County of Dutchess, along with the Pawling Highway Superintendent is requesting the Town of Pawling enter into a contract with the county for the petitioner station in the County Snow and Ice Control Program, and

Whereas, and logically, in earlier or sooner response factor provided by the Town of Pawling's units and personnel within the locality thereby benefiting the overall safety and welfare of the town residents and the local communities best interest, and

Whereas, such participation by the Town of Pawling in removing snow from designated county highways, and by and salt or otherwise treating them for the purposes of maintaining highway safety and accessibility for emergency services, is especially authorized by Article 6, Section 135 – a of the New York State Hwy. Law, now, therefore, be it

Resolved, the Town Supervisor is hereby authorized to execute a contract for the Town's participation in the County Snow and Ice Control Program, and the Town Superintendent of Highways is hereby authorized to perform such work in accordance with, and to receive payment as outlined in the Town and County contract for the County Snow and Ice Control Program for the winter season of 2010 / 2011.

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 2010183
Award of Bid – Lakeside Park Retaining Wall Project

NON-CONSENT
AGENDA
RESOLUTIONS
CONTINUED

Whereas, the Town of Pawling has advertised for an RFP for the Retaining Wall at the Beach at Lakeside Park, and
Whereas, this retaining wall project is a continuation of the beachfront work previously completed at Lakeside Park, and

Resolved, that the RFP for a Retaining Wall at the Beach at Lakeside Park was opened by the Town Clerk on Wednesday, October 13, 2010 at 1:30 PM is hereby awarded to _____ in the amount of _____ for the project associated with the referenced RFP.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

The motion to award the bid to Marknson Industries with a low bid of \$23,300.00 was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

ROLL CALL VOTE:

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

Resolution 2010184
Planning Board Restoration Bond

Whereas, the Planning Board of the Town of Pawling on November 17, 2009 has granted amended site plan approvals to Allspace Storage, Apollo Group LLC, and

Whereas, the Planning Board recommends to the Town Board to accept the release of the Performance Bond in the amount of \$1,000.00, and to acknowledge the Planning Board’s acceptance of items outlined in the Thomas Corrao memorandum dated September 21, 2010.

Resolved, that the Town Board of the Town of Pawling hereby accepts the recommendation of Pawling Planning Board on matters pertaining to Allspace Storage, Apollo Group LLC.

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 2010185
Town of Pawling – Retirement

Whereas, the policy of the Town of Pawling requires employees to have 10 consecutive years of service and at age 55 to be eligible for retirement benefits, and

Whereas, the Town of Pawling maintains an employee handbook to be used as a reference for all town employees, and

Whereas, the Town Board at its discretion may change the policies of the Town of Pawling, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby amends section 808, “Medical Insurance for Retirees – Eligibility” to read as follows, “to be eligible for coverage, the retiree must be age 55 or older, and must have at least 20 years **also to include** for any employee hired after January 1, 2011 with continuous service to the town. In addition, the employee or elected alleged official must have applied for and been granted a bona fide retirement benefit from New York State employees retirement system.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Councilman Johnson asked if the resolution should be amended and add that any employee hired after January 1, 2011 would pay the family portion of the healthcare insurance at a percentage of 50%, which is the maximum allowable in the Town Handbook or NYS law.

Supervisor Kelly said he would add that to the resolution.

ROLL CALL VOTE:

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

Supervisor Kelly asked Councilman Mayer to review the Village signage regulations and meet with the Code Enforcement Officer to see how the Town sign ordinance can be improved.

TOWN SIGNAGE

Supervisor Kelly opened the meeting for public comment.

PUBLIC
COMMENT

Daryl Haley said regarding signs, he suggested each candidate be allowed to have one sign in one location and that they be required to be taken down.

Ed Munning, president of the Holmes Whaley Lake Civic Association, said the Association would like permission to hire a painting contractor, which would be paid for by the Association. The contractor would have all of the proper licenses and insurance required.

Councilman Johnson felt Mr. Munning should let the Board know how and what would be painted.

Supervisor Kelly said the Board would have to accept the painting as a donation and Wendel Weber, Supervisor of Buildings and Grounds should be involved in what is done at that building. He asked Mr. Munning to submit a proposal to the Mr. Weber who would then go over it with the Board.

Mr. Munning said the residents of Holmes have seen cottage row be demolished, renovation of the teen center and now new renderings for the Lathrop building at Lakeside Park. Residents want to know if there would be any money for work on the HWLCA.

Supervisor Kelly said the rendering of the Lathrop building is just a rendering and there are major issues with that building. There was no cost for the renderings. There are projects that were slated for that building but the execution has been lagging but the Town has only a three man crew and they do a very good job with the work they do and they will get over there as soon as they can.

Councilman Watson said it should be remembered that the projects at the HWLCA projects had to be done in a certain order and certain things had to be done, for instance the electric being brought up to code, before any other project could be done.

Councilman Johnson said a lot of volunteers have done a lot of work at that building to date and things have been moving along.

The motion to adjourn was made by Supervisor Kelly at 8:15 PM, seconded by Councilman Johnson, motion passed unanimously.