

Supervisor David P. Kelly opened a Special Meeting of the Town Board of the Town of Pawling at 8:00 AM December 23, 2010 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Watson, Mayer and approximately 2 interested citizens.

DECEMBER 23,
2010

SPECIAL
MEETING

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

**RESOLUTION 2010204 – 2011 FORD F-350 4X4
TOWN OF PAWLING TOWN BOARD
TOWN BOARD RESOLUTION**

**BOND
RESOLUTIONS
FOR 2011 FORD F-
350 4X4 AND
PURCHASE OF
MACHINERY,
EQUIPMENT AND
VEHICLES**

WHEREAS, the Highway Superintendent has duly recommended the purchase of the following equipment for use by the Town of Pawling Highway Department pursuant to the provisions of Section 142 of the Highway Law:

- 1) 2011 Ford F-350 4x4 regular cab XL with 8' box; 9' heavy duty Fisher Plow and five (5) premium care warranty.

WHEREAS, the equipment is available pursuant to state bid from Van Bortel Ford, Inc.; now, therefore, be it

RESOLVED, that pursuant to Section 142 of the Highway Law and Section 266 of the Highway Law, the Town Supervisor is hereby authorized to purchase, in the accordance with the provisions of Article 5-A of the General Municipal Law, the following:

Van Bortel Ford, Inc., 71 Marshall Road, East Rochester, New York 14445; at a maximum price of \$34,000.00 to be delivered at the Town of Pawling Highway Garage and to be delivered as soon as it becomes available from the factory, including incidental equipment and expenses in connection therewith; and

Terms of the payment will be as follows: The purchase price will be financed through the issuance of a Bond Anticipation Note pursuant to a Bond Resolution to be adopted prior to delivery by the Town Board and subject to the authority delegated therein to the Town Supervisor.

The Contract of Purchase for the item purchased shall be duly executed by the Town Supervisor and the vendor. When the Contract has been duly executed and approved, the Town Supervisor is authorized to complete the purchase upon delivery of the item purchased in accordance with the terms of the Resolution and the Contract and to pay or have paid the above amounts specified to be paid by the proceeds of the Bond Anticipation Note.

MOTION: COUNCILMAN MAYER

SECONDED BY: COUNCILMAN JOHNSON

<u>ROLL CALL:</u>	<u>AYE</u>	<u>NAY</u>
Councilman Johnson	<u> X </u>	<u> </u>
Councilman Mayer	<u> X </u>	<u> </u>
Councilman Watson	<u> X </u>	<u> </u>
Councilman Upham	<u> X </u>	<u> </u>
Supervisor Kelly	<u> X </u>	<u> </u>

**RESOLUTION 2010205 BOND NOTIFICATION FORD F-350 4X4
BOND RESOLUTION DATED DECEMBER 23, 2010
A RESOLUTION AUTHORIZING THE PURCHASE OF MACHINERY,
EQUIPMENT AND VEHICLES FOR THE TOWN OF PAWLING,**

DUTCHESS COUNTY, NEW YORK, TO BE USED IN THE OPERATION OF ITS HIGHWAY DEPARTMENT AT A MAXIMUM ESTIMATED COST OF \$34,000 AND AUTHORIZING THE ISSUANCE OF \$34,000, SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the Town of Pawling, Highway Superintendent has recommended the acquisition by New York State bid to the Town of certain machinery, equipment and vehicles to be used in the operation of the Highway Department; and

NOW THEREFORE, be it resolved by the Town Board of the Town of Pawling, Dutchess County, New York as follows:

SECTION 1: The purchase for the Town of Pawling of a certain motor vehicle consisting of one 2011 4x4 pick up Regular Cab F350 XL with 8' box and plow to be used in the operation of its Highway Department is hereby authorized at a maximum estimated cost of including preliminary costs and costs incidental thereto and financing thereof of \$34,000.00 and such amount is hereby appropriated therefore. It is hereby determined that said purposes and object or purpose as described in Subdivision 29 paragraph (a) of Section 11.00 of the Local Finance Law, and the probable usefulness of said purchase is 5 years.

SECTION 2: The plan for financing such maximum estimated cost is by the issuance of \$ 34,000.00 serial bonds of said Town hereby authorized to be issues therefore, pursuant to the Local Finance Law.

SECTION 3: It is hereby determined that each of the aforesaid purposes constitutes a Type II action as defined under the State Environmental Quality Review Act 6 NYCRR Part 617, which the Town has determined under SEQRA not to have a significant impact on the environment.

SECTION 4: It is hereby determined that the maximum maturity of the serial bonds herein authorized will not exceed five (5) years, and that no down payment is required pursuant to the provision of Section 107.00 of the Local Finance Law.

SECTION 5: 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 in said Town of tax sufficient to pay the principal of an interest on such bonds as the same become due and payable.

SECTION 6: 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 serial bonds herein authorized, including renewals of such note, 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 7: 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 (20) days after the date of publication, or
- 3) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 8: This resolution, which takes effect immediately, shall be published in summary form in the Poughkeepsie Journal, which is hereby designated as 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.

MOTION: SUPERVISOR KELLY

SECONDED BY: COUNCILMAN JOHNSON

<u>ROLL CALL:</u>	<u>AYE</u>	<u>NAY</u>
Councilman Johnson	<u> X </u>	<u> </u>
Councilman Mayer	<u> X </u>	<u> </u>
Councilman Watson	<u> X </u>	<u> </u>
Councilman Upham	<u> X </u>	<u> </u>
Supervisor Kelly	<u> X </u>	<u> </u>

**RESOLUTION 2010206 (2) 2011 MACK HIGHWAY VEHICLES
TOWN OF PAWLING TOWN BOARD
TOWN BOARD RESOLUTION**

WHEREAS, the Highway Superintendent has duly recommended the purchase of the following equipment for use by the Town of Pawling Highway Department pursuant to the provisions of Section 142 of the Highway Law:

- Two (2) 2011 Mack Model GU712 Cab and Chassis with a Stainless Steel 11' MUNI2 Body, Wing, Plow and Hydraulics.

WHEREAS, the equipment is available pursuant to state bid from Beam Mack Sales and Service, Inc. and Henderson Truck Equipment - New York; now, therefore, be it

RESOLVED, that pursuant to Section 142 of the Highway Law and Section 266 of the Highway Law, the Town Supervisor is hereby authorized to purchase, in the accordance with the provisions of Article 5-A of the General Municipal Law, the following:

Beam Mack Sales and Service Inc., 2674 W. Henriek, Rochester, New York, 12564. 4623 and Henderson Truck Equipment-New York, 22886 Fisher Road, Watertown, New York 13601; two (2) 2011 Mack Model GU712 Cab and Chassis with request for on at a maximum price of \$299,000 to be delivered at the Town of Pawling Highway Garage and to be delivered as soon as it becomes available from the factory, including incidental equipment and expenses in connection therewith; and

Terms of the payment will be as follows: The purchase price will be financed through the issuance of a Bond Anticipation Note or Serial Bond pursuant to a Bond Resolution to be adopted prior to delivery by the Town Board and subject to the authority delegated therein to the Town Supervisor.

The Contract of Purchase for the items purchased shall be duly executed by the Town Supervisor and the vendor. When the Contract has been duly executed and approved, the Town Supervisor is authorized to complete the purchase upon delivery of the item purchased in accordance with the terms of the Resolution and the Contract and to pay or have paid the above amounts specified to be paid by the proceeds of the Bond Anticipation or Note Serial Bond.

MOTION: SUPERVISOR KELLY

SECONDED BY: COUNCILMAN JOHNSON

Councilman Johnson made a motion to amend the resolution to read “A maximum price for both units of \$500,000.00 including all equipment, seconded by Councilman Upham, motion passed unanimously.

<u>ROLL CALL</u>	<u>AYE</u>	<u>NAY</u>
ON THE RESOLUTION:		
Councilman Johnson	<u> X </u>	<u> </u>
Councilman Mayer	<u> X </u>	<u> </u>
Councilman Watson	<u> X </u>	<u> </u>
Councilman Upham	<u> X </u>	<u> </u>
Supervisor Kelly	<u> X </u>	<u> </u>

RESOLUTION 2010207 BOND NOTIFICATION MACK VEHICLES

BOND RESOLUTION DATED DECEMBER 23, 2010

A RESOLUTION AUTHORIZING THE PURCHASE OF MACHINERY, EQUIPMENT AND VEHICLES FOR THE TOWN OF PAWLING, DUTCHESS COUNTY, NEW YORK, TO BE USED IN THE OPERATION OF ITS HIGHWAY DEPARTMENT AT A MAXIMUM ESTIMATED COST OF \$299,000, AND AUTHORIZING THE ISSUANCE OF \$299,000, SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

WHEREAS, the Town of Pawling, Highway Superintendent has recommended the acquisition by New York State bid to the Town of certain machinery, equipment and vehicles to be used in the operation of the Highway Department; and

NOW THEREFORE, be it resolved by the Town Board of the Town of Pawling, Dutchess County, New York as follows:

SECTION 1: The purchase for the Town of Pawling of certain machinery and apparatus for construction and maintenance for use by its Highway Department, two (2) 2011 Mack Model GU712 Chassis with Combination dump body with a Steel 11' MUNI2 Body, FCD, RDD, Wing, Plow Hydraulics equipment to be used in the operation of its Highway Department is hereby authorized at a maximum estimated cost of said purchase, including preliminary costs and costs incidental thereto and financing thereof of \$299,000 and such amount is hereby appropriated therefore. It is hereby determined that said purposes and object or purpose as described in Subdivision 28 of Section 11.00 of the Local Finance Law, and the probable usefulness of said purchase is 15 years.

SECTION 2: The plan for financing such maximum estimated cost is by the issuance of **\$299,000** serial bonds of said Town hereby authorized to be issued therefore, pursuant to the Local Finance Law.

SECTION 3: It is hereby determined that each of the aforesaid purposes constitutes a Type II action as defined under the State Environmental Quality Review Act 6 NYCRR Part 617, which the Town has determined under SEQRA not to have a significant impact on the environment.

SECTION 4: It is hereby determined that the maximum maturity of the serial bonds herein authorized will exceed five (5) years, and that no down payment is required pursuant to the provision of Section 107.00 of the Local Finance Law.

SECTION 5: 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 in said Town of tax sufficient to pay the principal of an interest on such bonds as the same become due and payable.

SECTION 6: 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 serial bonds herein authorized, including renewals of such note, 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 7: 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 (20) days after the date of publication, or
- 3) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 8: This resolution, shall be published in summary form in the Poughkeepsie Journal, which is hereby designated as 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 9: This resolution is subject to permissive referendum.

MOTION: COUNCILMAN JOHNSON

SECONDED BY: COUNCILMAN UPHAM

Supervisor Kelly made a motion to amend the amount in the title from \$299,000.00 to \$500,000.00 and anywhere in the documentation do the same, change the amount from \$299,000.00 to \$500,000.00, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly made a motion to amend Section 4 of the resolution to read “It is hereby determined that the maximum maturity of the serial bonds herein authorized will exceed the maximum allowed by Local Finance Law”, seconded by Councilman Johnson, motion passed unanimously.

ROLL CALL: AYE NAY
ON THE RESOLUTION

Councilman Johnson	__X__	_____
Councilman Mayer	__X__	_____
Councilman Watson	__X__	_____
Councilman Upham	__X__	_____
Supervisor Kelly	__X__	_____

**Resolution 2010208
2011 Holiday Schedule**

Whereas, the Town of Pawling Town Board is required to set the employee holiday work schedule, and

Whereas, all Town Offices, Departments and Activities of the Town will be closed on noted set dates, now, therefore, be it

Resolved, that the Town board hereby set the official Holiday Schedule as attached:

**Town of Pawling
Holiday Schedule for 2011**

New Year's Day (Observed)	Friday, December 31, 2010
Martin Luther King's Birthday	Monday, January 17, 2011
President's Day (Observed)	Monday, February 21, 2011
Good Friday	Friday, April 22, 2011
Memorial Day	Monday, May 30, 2011
Independence Day	Monday, July 4, 2011
Labor Day	Monday, September 5, 2011
Columbus Day (Observed)	Monday, October 10, 2011
Veteran's Day	Friday, November 11, 2011
Thanksgiving Day	Thursday, November 24, 2011
Day after Thanksgiving	Friday, November 25, 2011
Christmas Day (Observed)	Monday, December 26, 2011

2012

New Year's Day (Observed)	Monday, January 2, 2012
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**Town of Pawling
Holiday Schedule for 2011**

New Year's Day (Observed)	Monday, January 3, 2011
Martin Luther King's Birthday	Monday, January 17, 2011
President's Day (Observed)	Monday, February 21, 2011
Good Friday	Friday, April 22, 2011
Memorial Day	Monday, May 30, 2011

Independence Day	Monday, July 4, 2011
Labor Day	Monday, September 5, 2011
Columbus Day (Observed)	Monday, October 10, 2011
Veteran's Day	Friday, November 11, 2011
Thanksgiving Day	Thursday, November 24, 2011
Day after Thanksgiving	Friday, November 25, 2011
Christmas Day (Observed)	Monday, December 26, 2011

2012

New Year's Day (Observed) Monday, January 2, 2012

MOTION: Supervisor Kelly
SECOND: Councilman Watson

Councilman Johnson made a motion to accept the 2011 Holiday Schedule including observing New Year's on Friday, December 31, 2010, 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 2010209
2011 Payroll Schedule

2011 PAYROLL
SCHEDULE

Whereas, the Town of Pawling Town Board sets the yearly employee Payroll schedule, and

Whereas, all payroll will be calculated for all Town Officers and all of it's employees to be paid their full amount of worked time within a calendar year, now, therefore, be it

Resolved, that the Town Board hereby sets the Payroll Schedule as attached:

2011 Payroll Schedule

January 7th	Regular two week payroll, except Elected Officials
January 14th	Elected Official payroll
January 21st	All Employees, except Elected
January 28th	One week payroll for all Salaried, Highway, Recreation, Buildings and Grounds and Hourly (Reg Elected Ck)
February 11th	All employees
25-Feb	All Employees
11-Mar	All Employees
25-Mar	All Employees
8-Apr	All Employees
21-Apr	All Employees
6-May	All Employees

20-May	All Employees
3-Jun	All Employees
17-Jun	All Employees
1-Jul	All Employees
15-Jul	All Employees
29-Jul	All Employees
12-Aug	All Employees
26-Aug	All Employees
9-Sep	All Employees
23-Sep	All Employees
7-Oct	All Employees
21-Oct	All Employees
4-Nov	All Employees
18-Nov	All Employees
2-Dec	All Employees
16-Dec	All Employees
30-Dec	All Employees

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

The motion to enter Executive Session was made by Supervisor Kelly at 8:30 AM to discuss personnel, seconded by Councilman Upham, motion passed unanimously.

The motion to return from Executive Session was made by Supervisor Kelly at 8:45 AM, seconded by Councilman Johnson, motion passed unanimously.

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

The motion to adjourn was made at 8:50 AM by Councilman Upham, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk