

Supervisor David P. Kelly opened the Special Meeting of the Town Board of the Town of Pawling at 8:00 AM December 29, 2010 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Watson and approximately 3 interested citizens. Councilman Mayer was absent.

**DECEMBER 29,  
2010  
SPECIAL  
MEETING**

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

**PUBLIC  
COMMENT ON  
AGENDA ITEMS**

The motion to rescind Resolution 2010207 was made by Supervisor Kelly, seconded by Councilman Upham, motion passed unanimously.

**RESCIND  
RESOLUTION  
2010207**

**Resolution 2010210  
Budget Transfers**

**RESOLUTIONS**

Whereas, budget transfers are needed from time to time for proper accountability, control and operation of a municipality's budget, now, therefore, be it

Resolved, that the Town Board hereby authorizes the following budgetary transfers as attached:

MEMO: December 29, 2010

FROM: Gerald A. Terwilliger, Town Bookkeeper

TO: Town Supervisor and Town Board Members

SUBJECT: Final Budget Adjustments and Transfers for 2010

General Fund

Increase	1220.4A	Supervisor Contr.	650.00	
Decrease	1010.4A	Town Board Contr.		650.00
Increase	1340.2A	Budget Contr.	19,500.00	
Decrease	1989.4A	Unclass. Contr.		19,500.00
Increase	1660.4A	Central Store. Contr.	200.00	
Decrease	1650.1A	Central Comm. Contr.		200.00
Increase	7230.4A	Beach & Pool Contr.	2,250.00	
Decrease	7230.1A	Beach & Pool - PS		2,250.00
Increase	7110.4A	Parks Contr.	1,400.00	
Decrease	7250.4A	Golf Contr.		1,400.00
Increase	4540.4A	Ambulance Contr.	8,500.00	
Decrease	7250.2A	Golf Equipment		8,500.00
Increase	8160.4A	Refuse & Garbage Contr.	3,000.00	
Decrease	8160.1A	Refuse & Garbage - PS		3,000.00
Increase	1620.1A	Bldg. & Grds. -PS	20,000.00	
Decrease	1620.2A	Bldg. & Grds. Equip.		20,000.00
Increase	7020.1A	Rec. Admin. - PS	2,500.00	
Decrease	7145.1A	Teen Center - PS		2,500.00
Increase	7250.1A	Golf - PS	6,500.00	
Decrease	7230.1A	Beach & Pool -PS		5,000.00
Decrease	7310.1A	Other Rec. - PS		1,500.00
Increase	7310.4A	Other Rec. Contr.	100.00	
Decrease	7310.1A	Other Rec. - PS		100.00
Increase	9030.8A	Social Security	5,000.00	
Increase	9035.8A	Medicare	1,000.00	
Increase	9089.81A	NYS MTA Tax	250.00	
Decrease	9060.8A	Hosp. & Med. Ins.		6,250.00
Increase	9050.8A	Unemployment Ins.	3,000.00	
Decrease	9040.8A	Workers Comp.		3,000.00
General Fund - Outside Village				
Increase	8010.1B	Zoning P.S.	2,250.00	
Decrease	8010.2B	Zoning - Equip.		2,250.00
Increase	8020.1B	Planning - PS	7,750.00	
Decrease	8020.1B	Planning Contr.		7,750.00
Increase	9050.8B	Unemployment Ins.	500.00	
Decrease	8090.4B	Environ. Control Contr.		500.00
Increase	9060.1B	Hosp. & Med. Ins.	4,500.00	

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RESOLUTIONS  
CONTINUED

Decrease	1990.4B Contingent Acct.		4,500.00
	Highway O/S Village		
Increase	9050.8DB Unemployment Ins.	5,000.00	
Decrease	9060.8DB Hosp. & Med. Ins.		5,000.00

MOTION: Supervisor Kelly  
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

**Resolution 2010211  
Bond Resolution**

**BOND RESOLUTION DATED DECEMBER 29, 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 \$500,000, AND AUTHORIZING THE ISSUANCE OF \$500,000, 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 \$500,000 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 \$500,000 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: Supervisor Kelly  
SECOND: Councilman Johnson

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

**HEAD  
GROUNDSKEEPER  
POSITION**

Supervisor Kelly made the motion to fund the Head Groundskeepers position in department 1620 for a period of 1/1/11 to 5/27/11. Funds for this action shall be transferred from within 1620, 7110, 7250 and 1990.4. The Town Board hereby authorizes the Supervisor to make such adjustments to cover any and all personnel and benefit costs for such time period. The motion was seconded by Councilman Johnson and passed unanimously.

The motion to reconsider Resolution 2010211 for a roll call vote was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

The roll call vote on Resolution 2010211 was as follows:

**ROLL CALL VOTE:**

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

**PUBLIC  
COMMENT**

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

The motion to adjourn the meeting was made by Supervisor Kelly at 8:10 AM, seconded by Councilman Johnson, motion passed unanimously.

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Town Clerk