

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM January 19, 2011 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Watson, Mayer and approximately 23 interested citizens.

**PUBLIC
COMMENT ON
AGENDA ITEMS**

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

**TOWN JUSTICE
ANNUAL REPORT**

The Board entertained a presentation by Town Justice Kevin Denton, who submitted the Town Justices year end reports. Justice Denton said he appreciated the support from the court staff and constables. Ms. Ferrol Lynch, Court Clerk is very competent and has excellent grant writing skills. Mike Kelly, Chief Constable is very professional as are all of the constables. He said he appreciated the Board's support in general and with the Justices education. He gave the Board an update on changes that will require a lot of additional paperwork and attention.

Supervisor Kelly thanked Justice Denton for his presentation.

The Board entertained a presentation by representatives of H.G. Fairfield Arts Center for the Environment, Inc. Representatives present were Katherine Fairfield Freston/ Founder of the H.G. Fairfield Arts Center for the Environment, Executive Director Kim Blacklock, Chief Engineer John E. Folchetti and Counsel Robert Apple.

**PRESENTATION
BY H.G.
FAIRFIELD – ARTS
CENTER AT
LAKESIDE PARK**

Ms. Freston said the H.G. Fairfield Arts Center for the Environment is a unique organization and they are modeled in four areas, fine arts, performing arts, health and well being and environmental stewardship. They are currently working with groups from Putnam and Dutchess counties and they are met with positive responses and they would like to work here in Pawling and she asked for the Board's support not just for today but for generations.

Ms. Blacklock explained their mission, which is to come up with the creation of arts and culture. Her secondary mission is to get a performing arts center up and running. The proposal is to create a 300-350 seat performing arts center with studio space for the arts that is self sustainable at Lakeside Park, designed for perpetuity and accessible to the Hudson and Harlem Valleys. She has met with Supervisor Kelly and the Recreation Director and representatives of Gaito & Associates regarding the proposal and felt it was time to bring it before the Board. They are a 501-C-3 organization. They have a strong commitment to this project and aggressive development plan and will be applying for grants for funding for this project. They understood the Town Recreation Department had needs and they would meet those needs. They looked forward to working with the Board and coming to Pawling.

Following further discussion and questions and answers, it was agreed that H.G. Fairfield representatives would submit a Master Plan with time line for the development and planning process for this project the first week in February. Supervisor Kelly felt it was a good idea to put a subcommittee together to work on this project. It was also stated that they would move forward with pursuing grant monies.

The Board entertained a presentation by Richard Harper of Morris & Associates regarding the Town master plan. He stated that he had submitted an outline for the implementation process of 2011 and a time line for the adoption of the master plan to the Board on January 5th and reviewed the document and time line with the Board. The plan is to take the 1991 adopted master plan and blend with the recommendations and suggestions that came together in 2006 and 2010. There is a lot of overlap in the information and he would create a matrix to compare all of the elements of each of those three plans. He felt that would be a good tool to determine priorities to move forward with. He felt the matrix would be ready for release to the Board on or around January 26th. He suggested that the subcommittee be established in order to move the process forward. Public comment is included in the time line and the Board can decide how they want to gain public input.

**PRESENTATION
BY RICHARD
HARPER OF
MORRIS
ASSOCIATES ON
TOWN MASTER
PLAN**

Following discussion, the Board would begin by looking at the matrix. It was also agreed that the subcommittee would be formed and meet during the month and an update would be given to the Town Board at each monthly Town Board workshop.

The motion to approve the minutes of December 1, 2010 was made by Councilman Johnson, seconded by Councilman Watson, motion passed unanimously.

MINUTES

The motion to approve the minutes of December 8, 2010 was made by Councilman Johnson, seconded by Councilman Upham and passed with the following roll call vote:

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Watson – “ABSTAINED”

Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

The motion to approve the minutes of December 23, 2010 was made by Councilman Johnson, seconded by Supervisor Kelly, motion passed unanimously.

The motion to approve the minutes of December 29, 2010 was made by Councilman Johnson, seconded by Councilman Watson and passed with the following roll call vote:

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Watson – “AYE”

Councilman Mayer – “ABSTAINED”

Supervisor Kelly – “AYE”

Supervisor Kelly moved to the non-consent agenda.

NON-CONSENT
AGENDA
RESOLUTIONS

**Resolution 2011038
Pawling Joint Sewer Commission Budget for 2011**

Whereas, the Town of Pawling received a request from the Pawling Joint Sewer Commission to approve the 2011 budget, and

Whereas, the Pawling Town Board has reviewed the budget attached to the resolution, now therefore, be it

Resolved, that the Pawling Town Board hereby approves the Pawling Joint Sewer Commission Budget as follows; Revenues in the amount of \$732,310, Appropriations of \$485,784, Bonding Costs of \$216,296 for a total budget of \$732,310.

MOTION: Supervisor Kelly
SECOND: Councilman Mayer

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Watson – “AYE”

Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

**Resolution 2011039
Payment of Bills for the Town of Pawling**

Whereas, The Town of Pawling Bookkeeper has reviewed and prepared the vouchers for the month of January 2011 and has offered them for review, and

Whereas, the vouchers have been approved in accordance with the Town of Pawling policy, and

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

Resolved that the Pawling Town Board hereby accepts the vouchers as prepared and on the recommendation of the Bookkeeper hereby authorizes payment of said vouchers for the Town of Pawling on this Date in the amount of _____.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Supervisor Kelly offered an amendment to add voucher numbers 1584 through 1735 in the amount of \$655,268.39, seconded by Councilman Johnson, motion passed unanimously.

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Watson – “AYE”

Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

**Resolution 2011040
Billing for 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 \$14,028.60 for the period of October 2010 through December 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.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Watson – “AYE”

Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

**Resolution 2011041
Obsolete Equipment**

Whereas, certain equipment being stored that is obsolete and no longer of use by the Town of Pawling, now, therefore, be it,

Resolved, that the Town Board hereby declares the attached list of equipment, which shall be made part of the minutes of this meeting, obsolete and surplus to the needs of Town of Pawling, and, further, be it,

Resolved, that the Supervisor of Buildings and Grounds is hereby authorized to dispose of said equipment in a manner consistent with law and/or regulation.

Brand	Equipment	S/N
Samsung	Printer	
Samsung	Printer	
HP	Printer	
HP	Printer	
Samsung	FAX	
Gateway	Computer	

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Watson – “AYE”

Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

Supervisor Kelly opened the floor for other business to come before the Town Board.

Supervisor Kelly said it would be a good idea to support the Pawling Community Foundation and the Village Green by purchasing a brick to place in the wall with the Town Seal on it.

**PAWLING
COMMUNITY
FOUNDATION
BRICK**

**PAWLING
COMMUNITY
FOUNDATION
BRICK
CONTINUED**

The motion authorize the Supervisor to spend \$500.00 out of contingency for the purchase of a brick with a town seal for the Foundation was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly said in the budget, there was money for the Assessor to have a part time assistant this year. The Assessor would like a person to begin the beginning of February. He has a few applications on file and he would like to be able to meet with the Assessor and potential people.

**HIRING FOR
ASSESSOR'S
OFFICE**

The motion for the Supervisor to meet with the Assessor and interview prospective applicants and hire for that position was made by Supervisor Kelly, seconded by Councilman Johnson.

Councilman Watson asked why Supervisor Kelly wouldn't have the liaison meet so Supervisor Kelly could have one less thing to do.

Supervisor Kelly rescinded the motion and asked Councilman Upham to meet with Mr. Gastio.

Councilman Upham agreed.

The motion for Councilman Upham and Tom Gastio, Assessor to meet to review applications and interview individuals was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

**TRANSFER
STATION PERMIT
FOR NON-
RESIDENT**

Supervisor Kelly said regarding the Transfer Station, there is an individual who has requested that the Town Board grant a variance or decision regarding their use of the Transfer Station. This individual lives on Old Pawling Road and they enter their property in the Town of Pawling and the house resides in the Town of Dover. Last year they were granted a Transfer Station sticker and they had some in the past.

The motion to grant the sale of the Transfer Station sticker based on two things, 1) we approved it last year for the same individual and 2) it is their primary residence, they are taxpayers in the Town of Pawling and their driveway does originate in the Town of Pawling and cross over land in the Town of Pawling was made by Councilman Johnson, seconded by Supervisor Kelly.

Councilman Watson asked if Councilman Johnson would mind amending the motion to allow the Town Attorney make sure that this falls in accordance with the law the way it is written because the Board was concerned last time that they followed the letter of their own law.

Councilman Johnson felt that because this was a gray area, that's why it came to the Town Board.

Supervisor Kelly said he has spoken to the Town Attorney about this and he said that this is a gray area because they are entering the property through the Town of Pawling and paying taxes on that piece of property though their house is in Dover. The Town Attorney said it is right to have the Town Board make the decision.

Councilman Upham said he would like to add to the resolution that this is a 2011 approval so the Board doesn't get into this, "we've always done it that way" in 2012 or 2013 or if other people come forward.

Councilman Johnson said he did say this year in the motion.

John Daley, Transfer Station Manager said the Town Code says that you have to "reside" in the Town of Pawling.

Supervisor Kelly said yes, and when he spoke to the Town Attorney, he felt it was a gray area because they are entering the residence, which is in Dover, in Pawling to access their property.

Councilman Mayer asked where their residence is for voting.

Supervisor Kelly said in Dover.

Cathy Giordano, Town Clerk said they get their STAR exemption on their residence in Dover.

Councilman Watson said the Town Board can collect the fee or send it to Dover.

Mr. Daley said yes but the fee is not profit.

Councilman Mayer felt the Board had vague legal advice on this.

Councilman Johnson felt this kept the decision consistent with what was done last year.

The vote on the motion was as follows:

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

JANUARY 19, 2011
PAGE 5

Councilman Watson – “AYE”

Councilman Mayer – “NAY”

TRANSFER STATION
PERMIT FOR NON-
RESIDENT
CONTINUED

Supervisor Kelly – “AYE”

Supervisor Kelly said Jerry Terwilliger, Bookkeeper and Kelly O'Rourke have begun implementation of the Town's new financial management system. Training has begun and Mr. Terwilliger is in the process of changing the system over.

NEW TOWN
FINANCIAL
SOFTWARE

Councilman Upham said the GED class is available again in Pawling. He has been talking with Marshall & Sterling regarding health insurance alternatives. He is in the process of setting up a meeting with them and Supervisor Kelly.

UPHAM

Councilman Mayer asked if the Board could get a report from the Town Attorney on exactly what happened to the Shared Services plan.

MAYER

Supervisor Kelly said until recently, he had not been able to connect with Mr. Vosburgh. He will be meeting with Mr. Vosburgh to swap information this week or next week. He would try to have this done by the next meeting.

Councilman Dave Watson said he has resigned his position from the Town Board, effective the end of this month. He apologized for doing that because during the campaign, there wasn't a thought of leaving Pawling. He and Mrs. Watson have only ever owned one house and that is the house here in the Village and they never thought they would leave because they love this town. Life has changed for them and he is sorry he must leave. He appreciated everyone who supported him and put his trust in him. It has meant a lot to him and he hoped everyone was satisfied with what he has done. He was sorry he will not be able to finish the things that were talked about during the campaign. One of the things discussed was how it is getting harder to live in Pawling and the previous Board and this Board have made some significant changes in the budget and do things that will better the town and cut back the budget trying not to affect the services provided. He is sorry he will not be able to finish a couple of things like health insurance, and shared services. He thanked everyone for teaching him, working with him and helping him do the job. He thanked everyone for being willing to hire him as it meant a lot to him.

COUNCILMAN DAVE
WATSON'S
RESIGNATION

Supervisor Kelly said on behalf of the residents of Pawling, he thanked Councilman Watson for his dedicated service. Looking back, Councilman Watson has worked hard to make sure his liaison departments were working well. He said Councilman Watson has done well for the Town of Pawling. He presented Councilman Watson with a Pawling sweatshirt and the Game of Pawling. He wished him good luck.

Councilman Johnson said it has been a pleasure to work with Councilman Watson. He thought back to the first two years they had together on the Board, it was more than challenging. He felt that without an individual such as Councilman Watson, he wasn't sure he would have stuck it out under the conditions they worked. He appreciated working together with no political hats involved and just doing the best for the people of Pawling and he commended Councilman Watson for that.

Supervisor Kelly opened the meeting for public comment.

PUBLIC COMMENT

Jeff Asher thanked Councilman Watson for all he has done and helping town residents to understand town government. It was good for everyone. Regarding the master plan, the public had not been involved in the process. He had gone to several master plan meetings during the master plan development and he felt that they didn't allow him to say much or learn much. He expressed concern the same thing would happen in the current process and he hoped that there would be more public involvement. He suggested there be more of a public meeting, a public forum to discuss an overview of the master plan and the matrix which he hoped would be readily available to the public. He expressed concern about the cost of the master plan.

Supervisor Kelly said a resolution was passed employing the Morris & Associates for the purposes of moving the master plan forward. There was a ballpark range and they are going to try to work within that range. There is contingency money in the budget for these purposes.

JANUARY 19, 2011
PAGE 6

PUBLIC
COMMENT
CONTINUED

Vinny DeMarco thanked Councilman Watson. He said he has done a wonderful job for the Whaley Lake community with his involvement with the Whaley Lake Dam. He said Councilman Watson set goals and got things accomplished. He said he would miss him and the Town will miss Councilman Watson and wherever he goes, they are gaining a heck of a man.

Steve Sollazzo reiterated Mr. DeMarco's comments. He thanked Councilman Watson for all of the things he has done for the Town and wished him luck.

Supervisor Kelly said in his State of the Town address at the Reorganizational Meeting, he left one thing out that he needed to say. He forgot to mention Highway Superintendent John Daley and his accomplishments. Mr. Daley has accomplished getting Dodge Road done and came up with new ideas. He borrowed equipment from other towns and paved roads for only the cost of materials. He also has gotten some things done for MS4. Mr. Daley controlled the budget very well.

The motion to adjourn the meeting was made by Councilman Watson at 8:20 PM, seconded by Supervisor Kelly, motion passed unanimously.

Town Clerk