

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM February 9, 2011 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Mayer and approximately 13 interested citizens.

**PUBLIC
COMMENT ON
AGENDA ITEMS**

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

The motion to approve the minutes of January 5, 2011 and January 19, 2011 was made by Supervisor Kelly, seconded by Councilman Upham, motion passed unanimously.

MINUTES

Supervisor Kelly moved to the non-consent agenda.

**NON-CONSENT
AGENDA
RESOLUTIONS**

**Resolution 2011043
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 _____.

Supervisor Kelly introduced an amendment to insert under the last "Whereas" the numbers 2011001 through 2011119 and insert under the "Resolved" the dollar amount of \$255,007.21, seconded by Councilman Johnson, motion passed unanimously.

MOTION TO ADOPT RESOLUTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – "AYE" Councilman Upham – "AYE"
VACANT SEAT Councilman Mayer – "AYE"
Supervisor Kelly – "AYE"

**Resolution 2011044
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 \$2,508.88 for the period of November 2010 through January 2011 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.

MOTION: Councilman Johnson
SECOND: Supervisor Kelly

ROLL CALL VOTE:

Councilman Johnson – "AYE" Councilman Upham – "AYE"
VACANT SEAT Councilman Mayer – "AYE"
Supervisor Kelly – "AYE"

Resolution 2011045
Tax Certiorari – Index number 2010 / 5511 & 2009 / 5464

**NON-CONSENT
AGENDA
RESOLUTIONS
CONTINUED**

Whereas, a tentative settlement has been agreed to between the Town of Pawling and _____ for tax year 2009 and 2010, and

Whereas, it is in the best interests of the Town of Pawling and its residents that the settlement be approved, now therefore be it,

Resolved, that the Pawling Town Board hereby accepts the recommendation of the Town Assessor and Legal Council in a letter dated January 18, 2011 to settle the matter of a Tax Certiorari with _____, and be it further

Resolved, that the assessments on all parcels included be reduced in value within as recommended by the Assessor and Legal Council.

Supervisor Kelly introduced an amendment to add under the first “Whereas” and under the “Resolved” the name Pawling Mountain Land Corp., seconded by Councilman Upham, motion passed unanimously.

MOTION TO ADOPT RESOLUTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE” Councilman Upham – “AYE”

VACANT SEAT Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

Resolution 2011046
Reappointment, Board of Ethics

Whereas, the Board of Ethics has a term that expires on February 17, 2011, and

Whereas, Mr. Lawrence O’Neill has expressed a desire to continue to serve on the Ethics Board, now, therefore, be it

Resolved, that Lawrence O’Neill is hereby reappointed to a term of three years, and the new term will be effective from February 17, 2011 to February 16, 2014.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE” Councilman Upham – “AYE”

VACANT SEAT Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

**TRANSFER STATION
STICKER FOR NON-
RESIDENT**

Supervisor Kelly said he had two issues he needed to bring up. One is that there is another request for a Transfer Station sticker. There is an individual from South White Rock Road and their primary residence is in the Town of Beekman. They do own a vacant lot in the Town of Pawling. Their main residence is not in the Town of Pawling. Supervisor Kelly said he spoke with John Daley, Highway Superintendent/Transfer Station Manager and he felt the Board should stick with the “resident” portion of the law. These individuals did have a sticker last year with special approval.

Councilman Johnson said this is a gray area. He felt they had a sticker last year, he felt they should be allowed to get a sticker this year. He suggested the Board review this portion of the code with Mr. Daley and see if revisions are needed.

The motion to authorize the sale of the Transfer Station sticker to the individual on South White Rock Road was made by Councilman Johnson, seconded by Supervisor Kelly for this year.

Councilman Johnson said he would be happy to sit down with Supervisor Kelly and Mr. Daley to see if this portion of the code needs to be changed.

Councilman Upham said he would like to see the motion be amended to say “for the calendar year 2011”. He is trying to avoid setting a precedent.

Councilman Johnson said he would be happy to amend his motion to say “for the 2011 year only”.

Motion passed unanimously.

Supervisor Kelly referred to John Daley, Highway Superintendent for a report on the snow and what he has been dealing with.

John Daley, Highway Superintendent said he did not have all of the numbers but taking a quick look, as long as we don’t continue at the rate we’ve been doing, we’ll be okay. They have been out 28 times since the first of January. He wanted to take this opportunity to thank the Highway employees, they have worked very hard, especially the mechanic as he has kept it all going. He said he was proud of the men.

Supervisor Kelly expressed thanks from the Board also to the Highway employees.

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

The motion to enter Executive Session to discuss personnel matters was made by Supervisor Kelly at 7:10 PM, seconded by Councilman Upham, motion passed unanimously.

The motion to return from Executive Session was made by Councilman Upham at 8:12 PM, seconded by Councilman Johnson, motion passed unanimously.

The motion to adjourn was made by Councilman Johnson at 8:13 PM, seconded by Supervisor Kelly, motion passed unanimously.

Town Clerk