

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 6:30 PM March 9, 2011 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Mayer and approximately 18 interested citizens.

The motion to enter Executive Session to discuss litigation matters was made by Councilman Mayer at 6:30 PM, seconded by Councilman Upham, motion passed unanimously.

**EXECUTIVE SESSION**

The motion to return to regular session was made by Councilman Johnson at 7:15 PM, seconded by Councilman Upham, motion passed unanimously.

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

**PUBLIC COMMENT ON AGENDA ITEMS**

Brian Smith, Treasurer of the Pawling Free Library introduced the new Director of the Library Scott C. Jarzombek. He said the Library was fortunate to find a highly qualified and experienced individual who is also a resident of the community.

**PAWLING FREE LIBRARY NEW DIRECTOR**

Mr. Jarzombek said his wife was born and raised in Holmes, which is where they now live with their children. He stated that he was excited to be in this new position and to be able to work so close to home and in the community.

The motion to approve the minutes of February 2, 2011 and February 9, 2011 was made by Councilman Upham, seconded by Councilman Johnson, motion passed unanimously.

**MINUTES**

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

**CONSENT AGENDA RESOLUTIONS**

***Resolution 2011048  
Property Tax Cap***

**PROPERTY TAX CAP**

Whereas, towns provide services to more than eight million New Yorkers, yet account for less than 15% of the overall real property tax burden; and

Whereas, towns are uniquely dependent upon the real property tax to fund town services, more so than counties, cities and villages in that towns do not have the authority to levy sales taxes, occupancy taxes, gross receipts taxes or income taxes; and

Whereas, non property tax revenues (e.g. mortgage recording taxes [fell by \$164 million from 2006 to 2008], sales taxes [declined by \$30 million from 2008 to 2009], and state/federal aid/grant programs [State AIM decreased by 5%]) are subject to market fluctuations and the ability of the federal, state and county governments to share revenue with towns; and

Whereas, the costs to provide town services and to fund town operations continue to increase despite declining revenues, such as:

**Health Care**

Medical insurance costs represent one of the fastest-growing major categories of employee benefit expense, increasing more than 62 percent between 2002 and 2007, and 146 percent between 1997 and 2007. Moreover, employers can expect 2011 health care costs to be at their highest levels in five years, up nearly nine percent over 2010.

**Transportation/Water/Wastewater**

There is a \$250 billion funding gap in water, wastewater, and transportation infrastructure needs over the next 20 years.

**Pension Contributions**

Local governments in New York State will face an unprecedented increase in pension costs that forced them to triple their contributions to the state pension system over the next six years. According to one analysis, pension contribution rates for civilian employees in local governments will soar to 30.3 percent of payroll by 2015 and contributions to police and fire

department retirement plans are expected to increase to 41.1 percent of payroll in 2015.

**PROPERTY TAX  
CAP CONTINUED**

Whereas, many town expenses are dictated by compliance with federal and state mandates, most notably: storm water management, prevailing wage, procurement requirements, collective bargaining procedures, and the administration of real property exemptions; and

Whereas, New York State has primarily provided real property tax relief through ad hoc property tax exemptions rather than comprehensive property tax reform, resulting in a tax shift rather than a reduction as well as additional administrative and litigation costs; and

Whereas, town governments have taken the initiative in lowering property taxes through staff and salary freezes, program cuts and voluntary tax caps; and

Whereas, simply capping property taxes will not reduce the cost of health care, mandate compliance, pension contributions or the public's expectation of governmental services; and

Whereas, that the Association of Towns of the State of New York, based upon Home Rule Principles, has traditionally opposed stated mandated property tax caps; now, therefore, be it

Resolved, that the Town of Pawling supports the Dutchess County Supervisors and Mayors Association and calls upon the Governor and Members of the State Legislature to fund and/or eliminate state mandates, reform the real property tax system and address cost drivers in the provision of local government services/operations before implementing a property tax cap; and be it further

Resolved, that in order for a real property tax cap to lower property taxes while ensuring the delivery of essential services the program must include at a minimum:

- Exemptions for structured costs such as pension contributions, debt service, contract obligations, reductions in state or federal aid and emergencies and costs associated with unfunded and underfunded mandates;
- Hardship on a case by case basis;
- Mandate relief and reform;
- Increased and predictable state revenue sharing and aid formulas;
- Additional local ally generated revenue streams;
- A defined floor of four percent with the possibility of an increased cap based upon a percentage of inflation; and
- A local override by supermajority vote of the town board.

**FERGUSON  
RESIGNATION  
FROM BOARD OF  
ETHICS**

**Resolution 2011049  
Ethics Board – Resignation**

Whereas, Mr. Scott D. Ferguson was appointed to the Town of Pawling Ethics Board in 2010, and

Whereas, on February 18, 2011, Mr. Scott D. Ferguson has tendered his resignation from such board, now, therefore, be it

Resolved, that the Town Board hereby accepts Mr. Scott D. Ferguson's resignation, and, be it further

Resolved, that the Town Board would like to thank Mr. Ferguson for his service to the Town and wish him the best of luck on all of his future endeavors.

**GARY LATTRELL  
TURF MANAGER**

**Resolution 2011050  
Turf Manager- Gary Lattrell**

Whereas, the Town of Pawling owns and operates a golf course known as Dutcher Golf Course, and

Whereas, employee Gary Lattrell is the head Greenskeeper of said Golf Course, and

Whereas, the Town of Pawling is in need of turf management for all of their playing fields, and

Whereas, Gary Lattrell has the training and expertise needed to manage all of the turf within the town, now, therefore, be it

GARY LATTRELL  
TURF MANAGER  
CONTINUED

Resolved, that Gary Lattrell is hereby designated Turf Manager for the Town of Pawling and will receive an additional compensation of \$5000 for the 2011 budget year, and be it further

Resolved, that the funds to pay for this change for the year 2011 will be paid by Funds within the Contingent Account 1990.4.

Supervisor Kelly moved to the non-consent agenda

NON-CONSENT  
AGENDA

**RESOLUTION 2011054  
ADOPTING NEGATIVE DECLARATION  
“Rezoning Affecting Certain Premises”**

NEGATIVE  
DECLARATION –  
REZONING FROM  
RESIDENTIAL TO  
HIGHWAY  
BUSINESS

WHEREAS, the Town Board of Pawling has reviewed a proposed amendment to Chapter 215 (“Zoning”) of the Code of the Town of Pawling to add Article XIV to said chapter entitled “Rezoning Affecting Certain Premises”, particularly, to rezone premises known as Section 7056, Block 00, Lot 470136 from R4 to Highway Business; and

WHEREAS, proposed Local Law No. 1 of 2011 of the Town of Pawling has been drafted; and

WHEREAS, an Environmental Assessment Form identifying and analyzing the potential environmental impacts of the proposed Local Law has been prepared; and

WHEREAS, the Town Board has considered and reviewed the proposed Local Law as an “action” subject to SEQR pursuant to 6 NYCRR §617.2(b) and §617.3(g); and

WHEREAS, to determine whether the action may have a significant adverse impact on the environment, the Town Board has compared the impacts that may be reasonably expected to result from the action and compared them against the criteria for determining significance set forth in SEQR, 6 NYCRR §617.7(c); and

WHEREAS, the Town Board has thoroughly analyzed and identified the relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment, and has taken the requisite “hard look” at the potential environmental impacts of the Action; and

WHEREAS, the Town Board concludes that the proposed Local Law will not have any significant adverse environmental impacts; and

IT IS HEREBY RESOLVED, that, pursuant to 6 NYCRR §617.6(a)(1)(iv), the Town Board classifies the action as an Unlisted action; and

IT IS HEREBY FURTHER RESOLVED, that, pursuant to 6 NYCRR §617.6(b), the Town Board concludes that the action shall be subject to an uncoordinated SEQR review; and

IT IS HEREBY FURTHER RESOLVED, that pursuant to 6 NYCRR §617.7(a), the Town Board issues and adopts a negative declaration for the proposed Local Law, based upon its determination that the action will not have any significant adverse environmental impacts.

The foregoing resolution was offered by Councilman Johnson and seconded by Supervisor Kelly and was passed with the following roll vote:

Supervisor Kelly.....voting “AYE”

Councilman Johnson.....voting “AYE”

Councilman Mayer.....voting “AYE”

Councilman Upham.....voting “AYE”

**ADOPTION OF  
LOCAL LAW #1 OF  
2011 – REZONING  
RESIDENTIAL TO  
HIGHWAY  
BUSINESS**

**RESOLUTION 2011053  
Rezoning Affecting Certain Premises**

RESOLVED: WHEREAS, proposed Local Law No. 1 of 2011 is to provide for an amendment to add Article XIV to Chapter 215 (“Zoning”) of the Code of the Town of Pawling entitled “Rezoning Affecting Certain Premises”, particularly, to rezone premises known as Section 7056, Block 00, Lot 470136 located on Route 22 in the Town of Pawling from R4 to Highway Business as that district is defined in the Code of the Town of Pawling; and

WHEREAS, the Town Board referred the proposed Local Law to the Town of Pawling Planning Board for its review and report pursuant to Article VIII, Section 215-54 of the Town of Pawling Town Code; and

WHEREAS, the Town of Pawling Planning Board conducted a review of the proposed Local Law, and the Planning Board voted to support same; and

WHEREAS the Town Board pursuant to Article VIII, Section 215-55 of the Town of Pawling Town Code and pursuant to Section 239(m) of the General Municipal Law referred the proposed Local Law to the Dutchess County Department of Planning and Development for its review and report; and

WHEREAS, the Dutchess County Department of Planning and Development responded to the referral on February 3, 2011, having no comments and stating that the Proposed Local Law was a matter of local concern; and

WHEREAS, a negative declaration pursuant to 6 NYCRR 617.7(a) was adopted by the Town Board for proposed Local Law No. 1 of 2011; and

WHEREAS, a public hearing was held on March 2, 2011 at 7:00 p.m. at the Pawling Town Hall, 160 Charles Colman Boulevard, Pawling, New York, upon notice duly published in the Poughkeepsie Journal as required by law; and

WHEREAS, public discussion was heard at such hearing concerning proposed Local Law No. 1 of 2011; and

WHEREAS, the Town Board of the Town of Pawling wishes to add Article XIV to Chapter 215 of the Code of the Town of Pawling entitled “Rezoning Affecting Certain Premises”, particularly, to rezone premises known as Section 7056, Block 00, Lot 470136 all in the Town of Pawling from R4 to Highway Business as the district is defined in the Code of the Town of Pawling.

THEREFORE BE IT RESOLVED, that proposed Local Law No. 1 of 2011, of the Town of Pawling is hereby enacted as Local Law No. 1 of 2011 of the Town of Pawling; and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.

The above Resolution was offered by Councilman Johnson and seconded by Councilman Mayer and was passed with the following roll call vote:

Supervisor Kelly.....voting “AYE”

Councilman Johnson.....voting “AYE”

Councilman Mayer.....voting “AYE”

Councilman Upham.....voting “AYE”

A LOCAL LAW AMENDING CHAPTER 215 “ZONING” OF  
THE CODE OF THE TOWN OF PAWLING

ADOPTION OF  
LOCAL LAW #1 OF  
2011 – REZONING  
RESIDENTIAL TO  
HIGHWAY BUSINESS  
CONTINUED

BE IT ENACTED BY THE Town Board of the Town of Pawling, State of New York as follows:

Section 1. Section 215 entitled “Zoning” of the Code of the Town of Pawling is hereby amended to add the following: ARTICLE XIV entitled “Rezoning Affecting Certain Premises”:

ARTICLE XIV  
**Rezoning Affecting Certain Premises**  
[Added March 9, 2011 by L.L. No. 1 of 2011]

**§ 215-64. Property affected.**

The premises affected by this rezoning are described and generally known as Section 11, Block 7056, Lot 470136 (1.80 acres) located on Route 22 all in the Town of Pawling.

**§ 215-65. Property rezoned.**

The premises described above are hereby rezoned from R-4 (Residential four acre minimum) to Highway Business as that district is defined in the Zoning Code of the Town of Pawling.

**§215-66. Supersession of state law.**

The provisions of this article and the manner of its adoption pursuant to the Municipal Home Rule Law specifically supersede the provisions of §§ 264 and 265 of the Town Law of the State of New York to the extent that the provisions of such proposed article or the process of its adoption are in conflict with the provision of said sections of Town Law.

Section 2. This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.

**RESOLUTION 2011056**  
**ADOPTING NEGATIVE DECLARATION – Chapter 171**  
**“Stormwater, Soil Erosion and Sediment Control”**

NEGATIVE  
DECLARATION –  
LOCAL LAW #2 OF  
2011 –  
STORMWATER,  
SOIL EROSION AND  
SEDIMENT  
CONTROL

WHEREAS, the Town Board of Pawling has reviewed a proposed amendment to the Code of the Town of Pawling to rescind Chapter 171 entitled “Soil Erosion and Sediment Control” and to replace it with a new Chapter 171 entitled “Stormwater, Soil Erosion and Sediment Control”; and

WHEREAS, proposed Local Law No. 2 of 2011 of the Town of Pawling has been drafted; and

WHEREAS, an Environmental Assessment Form identifying and analyzing the potential environmental impacts of the proposed Local Law has been prepared; and

WHEREAS, the Town Board has considered and reviewed the proposed Local Law as an “action” subject to SEQR pursuant to 6 NYCRR §617.2(b) and §617.3(g); and

WHEREAS, to determine whether the action may have a significant adverse impact on the environment, the Town Board has compared the impacts that may be reasonably expected to result from the action and compared them against the criteria for determining significance set forth in SEQR, 6 NYCRR §617.7(c); and

WHEREAS, the Town Board has thoroughly analyzed and identified the relevant areas of environmental concern to determine if the action may have

significant adverse impact on the environment, and has taken the requisite “hard look” at the potential environmental impacts of the Action; and

NEGATIVE  
DECLARATION –  
LOCAL LAW #2 OF  
2011 –  
STORMWATER,  
SOIL EROSION  
AND SEDIMENT  
CONTROL  
CONTINUED

WHEREAS, the Town Board concludes that the proposed Local Law will not have any significant adverse environmental impacts; and

IT IS HEREBY RESOLVED, that, pursuant to 6 NYCRR §617.6(a)(1)(iv), the Town Board classifies the action as an Unlisted action; and

IT IS HEREBY FURTHER RESOLVED, that, pursuant to 6 NYCRR §617.6(b), the Town Board concludes that the action shall be subject to an uncoordinated SEQR review; and

IT IS HEREBY FURTHER RESOLVED, that pursuant to 6 NYCRR §617.7(a), the Town Board issues and adopts a negative declaration for the proposed Local Law, based upon its determination that the action will not have any significant adverse environmental impacts.

The foregoing resolution was offered by Councilman Johnson and seconded by Councilman Upham and was passed with the following roll vote:

- Supervisor Kelly.....voting “AYE”
- Councilman Johnson.....voting “AYE”
- Councilman Mayer.....voting “AYE”
- Councilman Upham.....voting “AYE”

ADOPTION OF  
LOCAL LAW #2 OF  
2011 – CHAPTER  
171 –  
STORMWATER,  
SOIL EROSION  
AND SEDIMENT  
CONTROL

**RESOLUTION 2011055**

**Chapter 171 – “Stormwater, Soil Erosion and Sediment Control”**

RESOLVED: WHEREAS, proposed Local Law No. 2 of 2011 is a proposed local law to rescind Chapter 171 of the Code of the Town of Pawling entitled “Soil Erosion and Sediment Control” and to replace it with a new Chapter 171 entitled “Stormwater, Soil Erosion and Sediment Control”; and

WHEREAS, it is the purpose of this new Chapter 171 to protect the public health, safety and welfare in the Town of Pawling, and its aquatic resources by establishing minimum requirements for stormwater management, preventing erosion and controlling sedimentation for activities which cause changes to the watershed hydrology and may increase erosion and sediment transport including but not limited to construction activities, land alterations including excavation, filling, grading, land stripping and tree clearing, and increases in the rate of stormwater runoff; and

WHEREAS, the Town Board pursuant to Article VIII Section 215-55 of the Town of Pawling Town Code and pursuant to Section 239(m) of the General Municipal Law referred the proposed Local Law to the Dutchess County Department of Planning and Development for its review and report; and

WHEREAS, the Dutchess County Department of Planning and Development responded to the referral on February 4, 2011, having no comments and stating that the Proposed Local Law was a matter of local concern; and

WHEREAS, a negative declaration pursuant to 6NYCRR 617.7(a) was adopted by the Town Board for proposed Local Law No. 2 of 2011; and

WHEREAS, a public hearing was held on March 2, 2011 at 7:00 p.m. at the Pawling Town Hall, 160 Charles Colman Boulevard, Pawling, New York, upon notice duly published in the Poughkeepsie Journal as required by law; and

WHEREAS, public discussion was heard at such hearing concerning proposed Local Law No. 2 of 2011; and

WHEREAS, the Town Board of the Town of Pawling wishes to rescind Chapter 171 of the Code of the Town of Pawling and replace it with new Chapter 171 entitled “Stormwater, Erosion and Sediment Control”.

THEREFORE BE IT RESOLVED, that proposed Local Law No. 2 of 2011, of the Town of Pawling is hereby enacted as Local Law No. 2 of 2011 of the Town of Pawling; and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.

The above Resolution was offered by Councilman Johnson and seconded by Councilman Mayer and was passed with the following roll call vote:

- Supervisor Kelly.....voting “AYE”
- Councilman Johnson.....voting “AYE”
- Councilman Mayer.....voting “AYE”
- Councilman Upham.....voting “AYE”

**RESOLUTION 2011058  
ADOPTING NEGATIVE DECLARATION  
“Illicit Discharge Detection and Elimination”**

WHEREAS, the Town Board of Pawling has reviewed a proposed amendment to the Code of the Town of Pawling adding a new chapter entitled “Illicit Discharge Detection and Elimination”; and

WHEREAS, proposed Local Law No. 3 of 2011 of the Town of Pawling has been drafted; and

WHEREAS, an Environmental Assessment Form identifying and analyzing the potential environmental impacts of the proposed Local Law has been prepared; and

WHEREAS, the Town Board has considered and reviewed the proposed Local Law as an “action” subject to SEQR pursuant to 6 NYCRR §617.2(b) and §617.3(g); and

WHEREAS, to determine whether the action may have a significant adverse impact on the environment, the Town Board has compared the impacts that may be reasonably expected to result from the action and compared them against the criteria for determining significance set forth in SEQR, 6 NYCRR §617.7(c); and

WHEREAS, the Town Board has thoroughly analyzed and identified the relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment, and has taken the requisite “hard look” at the potential environmental impacts of the Action; and

WHEREAS, the Town Board concludes that the proposed Local Law will not have any significant adverse environmental impacts; and

IT IS HEREBY RESOLVED, that, pursuant to 6 NYCRR §617.6(a)(1)(iv), the Town Board classifies the action as an Unlisted action; and

IT IS HEREBY FURTHER RESOLVED, that, pursuant to 6 NYCRR §617.6(b), the Town Board concludes that the action shall be subject to an uncoordinated SEQR review; and

IT IS HEREBY FURTHER RESOLVED, that pursuant to 6 NYCRR §617.7(a), the Town Board issues and adopts a negative declaration for the proposed Local Law, based upon its determination that the action will not have any significant adverse environmental impacts.

The foregoing resolution was offered by Councilman Johnson and seconded by Supervisor Kelly and was passed with the following roll vote:

Supervisor Kelly.....voting “AYE”

NEGATIVE  
DECLARATION –  
LOCAL LAW #3  
OF 2011 –  
ILLICIT  
DISCHARGE  
DETECTION AND  
ELIMINATION  
CONTINUED

Councilman Johnson.....voting “AYE”

Councilman Mayer.....voting “AYE”

Councilman Upham.....voting “AYE”

**RESOLUTION 2011057**

**Addition of Town Code – “Illicit Discharge Detection and Elimination”**

ADOPTION OF  
LOCAL LAW #3  
OF 2011 –  
ILLICIT  
DISCHARGE  
DETECTION AND  
ELIMINATION

RESOLVED: WHEREAS, proposed Local Law No. 3 of 2011 is to provide for an amendment to the Code of the Town of Pawling to add a new Chapter entitled “Illicit Discharge Detection and Elimination” to provide for the health, safety and general welfare of the residents of the Town of Pawling; and

WHEREAS, the proposed new Chapter of the Code of the Town of Pawling will establish methods for controlling the introduction of pollutants into the municipal stormwater sewer system (MS4) in order to comply with the requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems; and

WHEREAS, the Town Board pursuant to Article VIII Section 215-55 of the Town of Pawling Town Code and pursuant to Section 239(m) of the General Municipal Law referred the proposed Local Law to the Dutchess County Department of Planning and Development for its review and report; and

WHEREAS, the Dutchess County Department of Planning and Development responded to the referral on January 26, 2011, having no comments and stating that the Proposed Local Law was a matter of local concern; and

WHEREAS, a negative declaration pursuant to 6 NYCRR 617.7(a) was adopted by the Town Board for proposed Local Law No. 3 of 2011; and

WHEREAS, a public hearing was held on March 2, 2011 at 7:00 p.m. at the Pawling Town Hall, 160 Charles Colman Boulevard, Pawling, New York, upon notice duly published in the Poughkeepsie Journal as required by law; and

WHEREAS, public discussion was heard at such hearing concerning proposed Local Law No. 3 of 2011; and

WHEREAS, the Town Board of the Town of Pawling wishes to amend the Code of the Town of Pawling to add a new chapter entitled “Illicit Discharge Detection and Elimination”.

THEREFORE BE IT RESOLVED, that proposed Local Law No. 3 of 2011, of the Town of Pawling is hereby enacted as Local Law No. 3 of 2011 of the Town of Pawling; and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.

The above Resolution was offered by Councilman Johnson and seconded by Supervisor Kelly and was passed with the following roll call vote:

Supervisor Kelly.....voting “AYE”

Councilman Johnson.....voting “AYE”

Councilman Mayer.....voting “AYE”

Councilman Upham.....voting “AYE”

**Resolution 2011047**  
**Payment of Bills for the Town of Pawling**

**PAYMENT OF  
BILLS**

Whereas, The Town of Pawling Bookkeeper has reviewed and prepared the vouchers for the month of March 2010 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 stating that the voucher would be numbered 20110122 through 20110270 and add the dollar amount of \$1,466,494.50, seconded by Councilman Johnson, motion passed unanimously.

**ROLL CALL VOTE ON THE RESOLUTION:**

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

**Resolution 2011052**  
**Creating Position of Part Time Legislative Aide to the Town Board**

**CREATE POSITION  
OF PART TIME  
LEGISLATIVE  
AIDE TO THE  
TOWN BOARD**

BE IT RESOLVED, that the Town Board hereby creates the position of Part-Time Legislative Aide to the Town Board in the unclassified civil service pursuant to Section 35-g of the Civil Service Law, who shall perform duties as set forth in a Memorandum from the Town Supervisor to the Town Board dated March 7, 2011, a copy of which shall be incorporated by reference within the minutes of this meeting; and

BE IT FURTHER RESOLVED, that upon the recommendation of the Town Supervisor, the Town Board hereby appoints Mr. Todd Bender to the position of Part-Time Legislative Aide to the Town Board, who shall be paid at the wage rate of \$15.00 per hour, for up to eighteen (18) hours per week, effective March 14, 2011.

MOTION: Supervisor Kelly  
SECOND: Councilman Johnson

**ROLL CALL VOTE:**

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

**MEMORANDUM**

TO: TOWN BOARD MEMBERS  
FROM: DAVID KELLY, TOWN SUPERVISOR  
RE: JOB DUTIES OF PART-TIME LEGISLATIVE AIDE TO THE TOWN BOARD  
DATE: MARCH 7, 2011

The following shall constitute the job duties of the position of Part-Time Legislative Aide to the Town Board, a position that shall be within the unclassified civil service and shall serve at the pleasure of the Town Board:

1. Assist Town Board members in constituent services;
2. Coordinate and mail legislative correspondences;
3. Schedule the legislative calendar;

**CREATE POSITION  
OF PART TIME  
LEGISLATIVE AID  
TO THE TOWN  
BOARD  
CONTINUED**

4. Research legislative issues for the Town Supervisor and Town Board members;
5. Assist in preparation of legislative programs;
6. Assist in coordination and preparation of legislative resolutions and distribution of the same;
7. Update and maintain files and complete forms and answer phones; and
8. Perform related tasks as directed by the Town Supervisor or the Town Board

**Resolution 2011051  
Appointment Town Board Member**

**APPOINTMENT OF  
TOWN BOARD  
MEMBER TO FILL  
UNEXPIRED TERM**

Whereas, the vacant seat exists on the Town Board due to the resignation of David Watson on January 31, 2011, and

Whereas, the Town Board has requested interested parties to submit letters of intent to each Town Board member, now, therefore, be it

Resolved, that the Town Board hereby nominates \_\_\_\_\_ to fill the unexpired term that will terminate on December 31, 2011.

MOTION: Supervisor Kelly  
SECOND: Councilman Johnson

Councilman Johnson offered the name of Michael Montemarano to fill the unexpired term, seconded by Councilman Mayer, motion passed unanimously.

**ROLL CALL VOTE ON THE RESOLUTION:**

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

Supervisor Kelly opened the meeting for public comment.

Mr. Phil DeRosa felt the rezoning on the property on Route 22 was a good decision. He hoped the Committee reviewing the master plan would look at rezoning the rest of the property on Route 22, up to the industrial zone, highway business. He felt it would make sense and allow expansion of the commercial zone.

**PUBLIC  
COMMENT**

Stewart Grant from the Shorehaven Civic Association said the process for them to attain drinkable water began in 2007 and it is now 2011 and they still do not have drinkable water. He appreciated the Board writing a letter of support for them. He suggested Supervisor Kelly and Councilman Upham and possibly other Board members sit down with members of Shorehaven and go over everything and try to understand how to move forward. He invited the Town Board to a meeting on April 22, 2011 at 4 PM with Senator Greg Ball and others. Mr. Grant said he held a meeting at his house on Monday with approximately 16 residents and they would like to back out of this. He requested the Town Board sit down with them and discuss the takeover of the Shorehaven water system by the Dutchess County Water Wastewater Authority.

Ed Munning, President of the Holmes Whaley Lake Civic Association congratulated Michael Montemarano and welcomed him back to the Board. He also congratulated Scott Jarzombek, Director of the Pawling Free Library, saying he felt the Library made a good choice. He thanked Town elected officials, workers and volunteers for getting things done at the Holmes Whaley Lake Civic Association. He asked for the Board’s permission to run speakers in the dropped ceiling now while it is being put in.

The motion to accept the donation of speakers under the guidance of Wendel Weber, Supervisor of Buildings and Grounds was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

Vinny DeMarco said if there is to be a speaker system hooked up at the HWLCA building, the PA should be placed on the west side of the building and therefore more wire will be needed.

**PUBLIC COMMENT  
CONTINUED**

There were no further public comments.

John Daley, Highway Superintendent reported on the Sunday night storm. He, Supervisor Kelly and Councilman Mayer toured the roads on Monday to assess the damage. By 6 PM Monday evening, all of the roads that were closed were open, although they were not finished. Without any further damage, it will probably take six to eight weeks to get everything finished. He expressed concern that when roads are closed, people move barricades and drive on the roads anyway.

**HIGHWAY  
SUPERINTENDENT  
REPORT ON ROAD  
DAMAGE FROM  
STORM**

Supervisor Kelly reported that he and Councilman Mayer have been meeting with the consultant for the comprehensive plan and will be meeting every two weeks. Some of the meetings will be open meetings and will be held at town hall. He also reported on the Tick Task Force Trivia Contest done by Legislator Donna Bolner. He said April was designated as Parkinson’s Awareness Month and he would be doing something in April regarding that.

**SUPERVISOR’S  
COMMENTS**

Supervisor Kelly stated that the Town lost a resident, 19 years old, Mike McKenna on West Dover Road over the weekend. Mr. McKenna was a Town employee. This was a great tragedy and he would attend the calling hours this evening. He would like to close the meeting in condolence of Michael McKenna, resident of Pawling.

**MICHAEL  
MCKENNA  
CONDOLENCES**

The meeting was adjourned at 7:50 PM.

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Town Clerk