

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM May 11, 2011 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Montemarano, Mayer and approximately 14 interested citizens.

PUBLIC COMMENT ON AGENDA ITEMS

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

The Board entertained a presentation by JoAnne Daley, MS4 Coordinator, submitting the annual report to the Town Board. She stated that the report must be submitted to NYS DEC by June 1st and if the Board has comments, they can contact her before May 20th. She said there is a lot of information in the report that was gathered throughout the year. She explained programs and measures that have been done by the town throughout the year. She stated that the NYS DEC audit went well and stated that what the town is doing is working.

MS4 ANNUAL REPORT PRESENTATION

Councilman Upham had questions on the report and said he would send Ms. Daley an email with the questions.

The motion to approve the minutes of April 6, 2011 was made by Councilman Johnson, seconded by Councilman Montemarano, motion passed unanimously.

MINUTES

The motion to approve the minutes of April 13, 2011 and April 21, 2011 was made by Councilman Johnson, seconded by Councilman Montemarano, motion passed unanimously.

CONSENT AGENDA RESOLUTIONS

Supervisor Kelly moved to the consent agenda.

**Resolution 2011070
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 \$2343.68 for the period of February 2011 through April 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: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

Supervisor Kelly moved to the non-consent agenda.

NON-CONSENT AGENDA

**Resolution 2011069
Payment of Bills for the Town of Pawling**

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 _____.

Supervisor Kelly offered an amendment changing March, 2010 to April 2011, adding voucher numbers 20110435 through 20110604 and the amount of \$472,728.89, seconded by Councilman Johnson, motion passed unanimously.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman Montemarano – “AYE”

Councilman Upham – “AYE”

Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

Resolution 2011072

Stormwater Inter- Municipal Agreement for the East of the Hudson Coalition

Whereas, the Town of Pawling is located wholly or partially within the portion of the New York City Reservoir watershed that lies East of Hudson River (EOH Watershed), and

Whereas, the Town of Pawling is a regulated M4S for community pursuant to NYS DEC SPDES General Permit GP -)- 10 – 002 and is obligated to developing Stormwater Management Program which addresses the program elements contained in said permit including, the limited to a stormwater retrofit program, and

Whereas, there is been proposed to the East of Hudson Coalition, as more fully described in the Inter-Municipal Agreement attached hereto, whose purpose would be to explore a coordinated approach to implementing a stormwater retrofit program for the EOH Watershed, and

Whereas, the Town Board of the Town of Pawling finds that a coordinated approach may provide several benefits to implementing a stormwater retrofit program including the sharing of information, reduced administrative costs, and greater efficiencies in meeting the phosphorus reduction goals, and

Whereas, the Town Board of the Town of Pawling defines a single regional stormwater entity would create a single organization for the advocacy of additional funding necessary to meet the needs of implementing a storm water retrofit program, and

Whereas, participation in a single regional stormwater entity (RSE) allow for the sharing between the municipalities of certain administrative costs including, but not limited to such legal resources which are necessary to acquire adequate funding for the programs mandated by the State and Federal governments, and

Whereas, participation in a single regional storm water entity the (RSE) would allow for it unified (bubble) compliance approach in meeting the annual, in five years phosphorus reduction targets established by the New York State Department of Environmental Conservation, and

Whereas, the Town Board finds that a coordinated approach for implementing the stormwater management program made be in the best interest of the Town of Pawling, and

Whereas, the East of Hudson Coalition is intended to foster discussions concerning the most appropriate mechanism to provide long-term implementation of stormwater retrofit program, now therefore, be it,

Resolved, that the Town Board wishes to participate in exploring a coordinated approach in implementing a stormwater retrofit program with the EOH Watershed, and, be it, further,

Resolved that the Town Board of the Town of Pawling desires to address the aforementioned issue with a single intermunicipal organization do hereby enter into an agreement to create an inch or municipal organization entitled the East of Hudson

Coalition, whose purpose is to effectuate the goals described in the intermunicipal agreement attached hereto, and, be it, further

Resolved, that the Town Board of the Town of Pawling hereby authorizes Supervisor to execute the intermunicipal agreement in the form attached hereto, and further appoints the Supervisor, David Kelly, as an authorizing representative to the East of Hudson Coalition.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Supervisor Kelly said this resolution is regarding an intermunicipal agreement for the East of Hudson watershed and there would be a new resolution produced adding Dutchess County and so he pulled this resolution. The Board can act on the new resolution when he receives it.

**Resolution 2011074
Tax Certiorari – Raphael vs. Town of Pawling**

Whereas, a tentative settlement has been agreed to between the Town of Pawling and Sally Jessy Raphael for tax year 2009 & 2010 on tax parcel # 7156-00-400973, 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 Council in the matter of a Tax Certiorari with Sally Jessy Raphael, and be it further

Resolved, that the assessments on all parcels included be reduced in value as stated in 2009/5828 & 2010/2674 on tax Parcel #7156-00-400973 and, be it further

Resolved, that a copy of this resolution be forwarded to the Superintendent of the Pawling Central School District.

MOTION: Supervisor Kelly
SECOND: Councilman Upham

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman Montemarano – “AYE”

Councilman Upham – “AYE”

Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

**Resolution 2011075
Refund Escrow Account- Kim Dodd**

Whereas, the Planning Board of the Town of Pawling has been notified that the project known as Kim Dodd has chosen to terminate their project, and

Whereas, Kim Dodd has requested the Planning Board to refund the balance of their escrow account, and

Whereas, the Planning Board on April 18, 2011 has passed a motion to release \$497.00 (four hundred ninety seven dollars) in escrow balance to Kim Dodd, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby accepts the recommendation of Town of Pawling Planning Board and hereby authorizes the refund of the balance of the escrow account of Kim Dodd in the amount of \$497.00.

MOTION: Supervisor Kelly
SECOND: Councilman Upham

NON-CONSENT
AGENDA
RESOLUTIONS
CONTINUED

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman Montemarano – “AYE”

Councilman Upham – “AYE”

Councilman Mayer – “AYE”

Supervisor Kelly – “AYE”

**Resolution 2011076
Part Time Clerk, Town Clerks Office**

Whereas, the Town Clerk’s Office within Town of Pawling has requested that the position of Part-Time Record Clerk be created and filled as part of the implementation process for the Laserfiche Digital Document Storage Program that was supported as part of the 2011 budget adoption process; and

Whereas, the position of Part-Time Record Clerk is a job title that exists within Dutchess County Personnel Department, now, therefore be it

Resolved, that the Town Board hereby authorizes the Town Supervisor to complete the paperwork with the Dutchess County Personnel Department that is necessary to create the Part-Time position of Record Clerk, a position within the non-competitive class of the civil service; and, be it further

Resolved, that the Town Clerk is hereby authorized to fill such position after all the necessary paperwork has been completed and said position has been certified by the Dutchess County Personnel Department, with a work week not to exceed 17.5 hours, for a maximum budgeted amount of \$5,500.00 during the 2011 fiscal year.

MOTION: Supervisor Kelly
SECOND: Councilman Upham

Councilman Mayer felt we could get by with current staff and did not feel another part time person needed to be hired.

Supervisor Kelly said this is something that the Board discussed during the budget process. He understood and respected Councilman Mayer’s comments. He said this would allow the town clerk to spend time with herself, the deputy clerk and the new person to learn the new Laserfiche document system. There is training that will be involved where people will have to go to training and there will have to be people in the office. There is also the part of taking the documents, scanning them in and building the data base.

Councilman Johnson said the other issue is that he assumed this would happen during normal business hours. You couldn’t take someone out of their other job to do this.

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman Montemarano – “AYE”

Councilman Upham – “AYE”

Councilman Mayer – “NAY”

Supervisor Kelly – “AYE”

WHALEY LAKE
CLEANUP DAY

Supervisor Kelly announced that Whaley Lake Cleanup day has been moved to June 11th as the Highway Department can have a truck available that weekend.

The motion to allow the Whaley Lake Committee to hold their cleanup on June 11th and use a town vehicle was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly said following the presentation by the Community Resource Center, he said he would have numbers ready for the Board. He has not been able to complete that but would have the numbers for the special meeting on May 20th.

Supervisor Kelly opened the meeting for public comment.

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Steve Sollazzo asked for an update on the master plan.

Councilman Mayer said there have been ongoing meetings. There was a telephone conference scheduled for today but it was cancelled because there wasn't that much to talk about. He took the planner on a two hour trip to see the town the last time she was here so she could get an idea of what the town looked like.

Supervisor Kelly said they have been discussing using the 2010 document draft as a basis for the document. There has been some new language added to the plan. There have been no recommendations on zoning changes yet. They are still going over the basics of the plan at this time but it is moving forward.

Mr. Sollazzo asked if there would be a new sewer plant going in or would the old plant be retrofitted.

Supervisor Kelly said the plan is for the plant to be enhanced and upgraded to increase the capacity by doubling the capacity and the plant could be upgraded in the future.

Jeff Asher asked for an update on the shared services study.

Supervisor Kelly said the check was swapped for the information. The information was not in report form, it was not in a report. The problem is that for the town to be reimbursed by the Department of State, the information has to be in report form. He is attempting to get the information into a sequence. Once that is done, a gentleman from the Department of State said he would review it to see if the town is eligible for funding and could get back the \$13,000.00 they have already paid out as the lead agency on this project.

Christine Walters said she wanted to give the Board feedback from an eight year old on the new playground at Lakeside Park, he absolutely loves it. The fence is beautiful and the lakefront is coming along just beautifully.

The motion to adjourn was made by Supervisor Kelly at 7:22 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk

**PUBLIC
COMMENT**