

Deputy Supervisor William Johnson opened the Workshop/Reorganization Meeting of the Town Board of the Town of Pawling at 7:00 PM January 4, 2012 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Supervisor David P. Kelly, Councilmen Upham, Montemarano, DeRosa and approximately 22 interested citizens.

**JANUARY 4, 2012**

A “Swearing In” ceremony of newly elected officials of the Town of Pawling was conducted by Town Justice David E. Daniels, at which time Supervisor David P. Kelly, Councilman Michael Montemarano and Councilman Philip DeRosa were sworn in.

**SWEARING IN  
CEREMONY**

Supervisor Kelly opened the regular portion of the meeting at 7:05 PM and gave his “State of the Town” address as follows:

**STATE OF THE  
TOWN ADDRESS  
BY SUPERVISOR  
KELLY**

As we start the New Year, I would like to welcome Mr. DeRosa to the Board. Phil is no stranger to the Town or to public service. His years of service on the Planning Board, his past employment as a Code Enforcement Officer and past President of multi civic groups has given him a good base and understanding of the Town and its operations; with this I am confident that he will hit the ground running and will be a productive Board member.

I welcome Mr. Montemarano for a new term on the Board; Mike over the past year in returning to this Board has demonstrated his ability to work for the residents of Pawling. Mike spearheaded the reconstruction of the roadways at Lakeside Park last summer and has started the Dialog with Councilman Johnson on other projects within Lakeside Park which will become a benefit to the programs we offer. I welcome Mike back as well.

Sitting before you all tonight is a group of elected officials that have chosen to step up and serve their community during the hardest of times. As we all are under financial pressures, both personal and from our constituents, these members have agreed to take on the challenges. As the economists continue to make the case that the overall economy is recovering, I think we all may have a different view on this. I do know, that the budget process of this 2012 year was one of the hardest that I have seen in my 16 years. The development of the tentative budget was a process for me that started in late July. With continued conversation with both my fellow board members and with multiple state agencies we as a group were able to bring to the residents a budget to support the town and its operation and its employees at under a 1% increase. 2012 will be a year in which many tough decisions will be made. As in the past, it has been my personal policy to give the board members every bit of information on any given topic for deliberations. We ourselves need to be educated to make the most fiscally prudent decisions possible. Personally, I await these types of discussions amongst the Board. I have heard over the past two years, that we have some of the healthiest debates and discussions on any given topic and that it simply shows our true commitment to the process.

I would be remiss if I did not thank ALL of the Town employees for their service to the residents of the Town. We could not do, want we do what we want to if it was not for everyone.

The Town Hall Staff is our first line of customer service. This is who the constituents and patrons have the most interaction with. To the Town Clerks Office, Bookkeeper, Assessor, Court Clerks, Building and Planning Dept and Tax Collector. Your delivery of service does not go unnoticed, I thank you all for the hard work you do each day.

The Highway crew; the ones that are up and out during the cold snowy, rainy, windy days and nights before any of us think of moving out of our house. They are the ones that are out in the elements, the heat or cold doing their job. They are the first ones called out and the last ones to come in. Think about last winter and the amount of snow storms we had. Now think about the hours that this crew put in before / during and after the storms. Please remember it was not just the snow storms which started on Christmas of 2010, it included the rain storm of March, hurricane Irene and then the tropical storm that hit a week later. As I was having Pizza with the crew last Friday, I personally thanked them for their service to the Town, we talked about the winters and the hours put in during last year’s storm, the term “Blood Money” came up. A common Highway term used for the hours put in during these months. Once again, they keep our roads safe, we should all thank them.

Recreation services within our town borders continue to grow and serve thousands of people each year. The continued effort put in by the Recreation Department each year to enhance our offerings continues to place Pawling as a noted leader in Dutchess County. The staggering amount of new programs offered each year, simply to keep

up with the ever changing times. I must note the newest program which started last spring, the Interact Club. This program, supported by the Town Board and guided by the Recreation Department has a shared sponsorship with Pawling Rotary and is truly second to none. This program started out with as few as 16 interested students and has grown to over 45+ students from two Pawling schools. This shows the continued thinking outside the box by this Department. This is truly a trait that we all must emulate.

Having such an expansive Recreation Program would not be, if the Town did not have such a cooperative Buildings and Grounds Dept. We should always ask, who moved the Soccer Goals when the Lacrosse nets were on the field last evening, when were the ball fields mowed or how are the tables getting set up, broken down or moved to a different location. Who opens the buildings, open / closes the gates for summer camp, Install the docks, paints the walls, changes the lights. Who cleans up after the vandalism to the Pavilions, lawns or buildings? Let's not forget the mowing of the fairways, roughs and greens, who waters at 5 am on the weekend or when it reaches 95 degree on the putting green? We have a department that is behind the scenes workers that are given little credit due to their limited upfront physical presence. Let me ask you, how long would it take you to mow nearly 100 acres, change hundreds of lights and handle requests from twenty bosses who are asking them to go into thirty different directions.

I thank them for their flexibility on so many projects.

The reconstruction of our physical plant started early on in 2010 as it was kicked into high gear. We have seen record number of residents using our facilities since this administration started some 734 days ago. Much progress has been made and we should look into much more. We now need to look at our technology advancements in this ever changing times and economy, I feel it is time for the Town of Pawling to look into and embrace the E-Commerce practices. The ability of Town residents to conduct business on-line through our web site has been the norm for many towns for quite some time. There are many good examples to work with to provide informational access to our constituents and or the public that wants to do business with the Town. I employ the Board to support the hiring of a consultant to help to bring these potential services to the town through our website and in our offices. The loss of Revenue during 2012 could be recaptured by these services. With many residents working further away from home, we must think how we can make a connection to the government in the services that they support through their taxes. At the Association of Towns annual training session in 2011, I attended a very informative session on Credit Card use for Towns, I will pull my course guide and make a call to the Association to further discuss this action. As I attend this training session again this year, I once again seek the advice of other municipalities that are currently offering the services.

The topic of Town Board Liaison appointments comes up each year as to what will be a board members work other then their given job description. After discussion with Councilman Johnson and Montemarano relating to the leveling of our playing field at Lakeside Park, it became apparent to me that one action directly deals with another. To enhance our playing surface, we must have discussion with recreation to see how it would affect the Programs during this down time. Or when the Town Hall office member is having an issue with a phone, there must be a conversation between Building and Grounds on how can we make repairs to or replacement of a Phone system without disrupting the work of the day? There are too many times where one action requires the thought of more than one board member to resolve or further research a task. For this, I will offer the Board a new set of liaison/ committee assignments. For example, Councilman Upham currently handles Community and Civic groups; I serve on the Executive Board to the Chamber of Commerce. Why shouldn't Councilman Upham and I join together our thoughts and coverer these outside meetings? Going back to the Park, Councilman Johnson would be the lead of Recreation Committee and Councilman Montemarano would serve with him. As discussions take place, they are able to report back to the Board on a given idea, concept or Project.

I offer the following:

Recreation: Councilmen Johnson and Montemarano  
Buildings and Grounds: Councilmen Montemarano and Johnson  
Civic and Community relations: Councilman Upham and Supervisor Kelly  
Building / Zoning: Councilman DeRosa and Supervisor Kelly  
Highway: Supervisor Kelly and Councilman DeRosa  
Town Hall: Supervisor Kelly and Councilman Upham

As we move forward with this new system, we will continue to define the department/committee assignments.

STATE OF THE  
TOWN ADDRESS  
BY SUPERVISOR  
KELLY  
CONTINUED

Financial Planning for this year and moving forward will be critical for the town's future. Given the tax cap, unfunded mandated and necessary capital expenditures, the Town Board, along with the other Elected Officials and Department Heads will have to work closer on managing the current budget. Starting in 2012, I will start a new initiative, to meet with each department head to discuss expenditures and revenues within a given month. I will set time every other month to hold workshops to discuss their Individual budget lines. I feel it is important that we now have the tools in place to give us accurate financial up-to-date records, information to be shared with the department heads to further make strong fiscal decisions on the expenditures of funds. As I drive into Lakeside Park, I think of the jewel this town has that many municipalities are envious of. During the spring, summer and fall I am amazed at the amount of families that use this facility. Throughout the year, I am continuously asked by residents if we can look into the use of some areas of the park after hours. I'm going to ask Billy, Mike and recreation director Melissa Smith to spearhead some ideas of how our park can be used after hours if it is possible. As always, I ask that you think outside the box. One thought that I have is to start a new program or let's call it an event; I would like to see a family theatre night on the great lawn at Lakeside Park. Technology allows us to use a blowup movie screen and speaker system to broadcast family-style movies during the warm summer months. I will work with our recreation director to come up and execute these family fun nights this summer.

In closing, we have many challenges ahead of us, we have new faces helping and supporting us to do what the people have asked us to do. Let's enter this year thinking outside the box. Thank you

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

PUBLIC  
COMMENT ON  
AGENDA ITEMS

Supervisor Kelly moved to the consent agenda.

CONSENT  
AGENDA

**Resolution 2012001  
Standard Workday**

Whereas, the Town Board of the Town of Pawling sets the standard workday for the term of one year, and

Whereas, the current term of the standard workday is effective the date January 4, 2012 hereby known as the Town of Pawling Reorganization meeting of 2012, now, therefore, be it

Resolved, the standard workday is as follows:

Town Hall, 160 Charles Colman Blvd will be: 8:30 AM to 4 PM Monday through Friday excluding the Building Department which will operate at 7:30 AM to 3 PM

Buildings and Grounds Department, 2 Lakeside Drive; will operate 7 AM to 3:30 PM Monday through Friday

Recreation Department, 2 Lakeside Drive; will be 9 AM to 4 PM Monday through Friday.

**Resolution 2012002  
Setting Meeting Dates Town Board**

Whereas, the Town Board is required to set meeting dates for 2012, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby sets its meeting dates as follows: **first Wednesday** of the month for the purpose of the **Workshop** and the **second Wednesday** of the month for the purpose of the monthly **Business Meeting**. All meetings shall commence at 7 PM unless noticed by New York State Town Law, and, be it further

Resolved, that the Pawling Town Board meetings will be held at 160 Charles Colman Blvd., Pawling, NY, except for the May Workshop and Business meeting will be conducted at the Holmes Civic Association Building, Route 292, Holmes, New York.

**Resolution 2012003  
Designation Official Newspaper**

Whereas, the Town Board of the Town of Pawling is responsible for the designation of the official newspaper for a term of one year and this designation shall be at the pleasure of the Town Board, and

Whereas, the effective date of January 4, 2012 is hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that the Town Board hereby designates the Poughkeepsie Journal as its official newspaper for the year 2012.

**Resolution 2012004  
Appointment Bookkeeper**

Whereas, the position of Town Bookkeeper is an appointed position serving for a term of one year at the pleasure of the Supervisor of Town of Pawling and,

Whereas, the Supervisor of the Town of Pawling hereby recommends Gerald Terwilliger, now, therefore, be it

Resolved, that Gerald Terwilliger is hereby appointed Bookkeeper and compensated at the salary established within the approved Town of Pawling 2012 budget.

**Resolution 2012005  
Setting Banking Depositories**

Whereas, the Town Board of the Town of Pawling sets the banking depositories for a term of one year, and

Whereas, banking depositories are effective to the date of January 4, 2012 is hereby known as the Town of Pawling reorganization meeting of 2012, and now, therefore, be it

Resolved, that Putnam County Savings Bank, M & T Bank and Key Bank are hereby named as the depository banks of the Town of Pawling for the year 2012.

**Resolution 2012006  
Setting Petty Cash Accounts**

Whereas, the Town of Pawling Town Board has the ability to set up a Petty Cash Accounts for a term of two years, and

Whereas, the petty cash accounts shall be effective from the date of January 4, 2012 here by known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that the Town Clerk, Town Justice Court, Tax Collector and the Recreation Department maintained a petty cash account not to exceed \$250 for the year 2012 and that reconciliation statements will be submitted to the Supervisors office by the 15 of April, July, October and January for the prior quarters activity.

**Resolution 2012007  
Authorizing Investment Town Funds**

Whereas, the Town Board of the Town of Pawling sets the ability to invest the town funds for term of two years, and

Whereas, investments the Town funds shall be effective the date January 4, 2012 hereby known as the Town of Pawling's reorganization meeting of 2012, and now, therefore, be it

Resolved, that Supervisor Kelly is hereby authorized to invest the Town funds for the year 2012 & 2013.

**Resolution 2012008**  
**Setting Reimbursable Mileage Rate**

Whereas, the Town Board of the Town of Pawling sets the mileage rate for a term of one year, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby sets the mileage rate at the current Internal Revenue Service rate of 2012 and will amend its rate as stated by the Internal Revenue Service for the year 2012.

**Resolution 2012009**  
**Setting Compensation for Elected Officials**

Whereas, the elected officials within the Town of Pawling must have the compensation set for each, now, therefore, be it

Resolved, that the compensation for the elected officials is hereby set within the approved Town of Pawling 2012 budget is as follows:

Town Supervisor	\$20,085.00
Town Board (4)	7,875.00
Town Clerk	46,920.00
Superintendent of Highways	55,104.00
Town Justice (2)	14,708.00
Tax Collector	13,775.00

**Resolution 2012010**  
**Appointment Deputy Supervisor**

Whereas, the position of Deputy Supervisor is an appointed position serving for a one-year term at the pleasure of the Town Board, and

Whereas, William Johnson has been designated Deputy Supervisor for the year 2012 and is recommended by the Supervisor for 2012, now, therefore, be it

Resolved, that William Johnson is hereby appointed Deputy Supervisor for 2012.

**Resolution 2012011**  
**Appointment Engineering Services**

Whereas, the position of Town Engineer is an appointed position serving for a one-year term at the pleasure of the Town Board, and

Whereas, the term of the Town Engineer is effective the date January 4, 2012 herein known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, Morris Associates and Zarecki & Associates be employed to retain the purposes of furnishing the Town Board, its officers and agencies such professional engineering and planning services as may be required and shall receive compensation for such services.

**Resolution 2012012**  
**Consultant, Stormwater Management Program (MS4)**

Whereas, the Town of Pawling is in need of a consultant for the Stormwater Management program of the NYSDEC and NYCDEP Regulations placed upon the Town, and

Whereas, the Town has received the services of *Stormwater Management Consultants* during the 2011 calendar year and has been advised on matters of the East of the Hudson Coalition, Dutchess County East of Hudson group, and

Whereas, *Stormwater Management Consultants* has reviewed the Town compliance during 2011, now, therefore, be it

Resolved, that the Town Board hereby appoints *Stormwater Management Consultants, Inc.* to provide such services to the Town of Pawling.

**Resolution 2012013**  
**Appointment Public Information Officer (Media)**

Whereas, the position of Public Information Officer is an appointed position serving for one year term at the pleasure of the Town Board, and

Whereas, the current term of the Public Information Officer is to be effective to the date of January 4, 2012 hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that Catherine Giordano, Town Clerk and David P. Kelly, Town Supervisor are hereby appointed the Town of Pawling Information Officers.

**Resolution 2012014**  
**Appointments Constables**

Whereas, the position of the Town Constable is an appointed position serving for a one-year term at the pleasure of the Town Board, and

Whereas, current term of the Town Constable is to be effective to the date of January 4, 2011 hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that Michael Kelly, John Daley, Brian Griffin, Ben Scavone, Earl Eastwood, Joe Burden, Daniel Tompkins and Brett Johnson are hereby appointed Town of Pawling Town Constables and are to be compensated at the hourly rate of \$17.00 which is within the approved Town of Pawling 2012 budget.

**Resolution 2012015**  
**Appointment Chief Constable**

Whereas, the position of Chief Constable is an appointed position serving a one-year term at the pleasure of the Town Board of the Town of Pawling, and

Whereas, the current term of the Chief Constable is to be effective to the date January 4, 2012, hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that Michael F. Kelly is hereby appointed Chief Constable and compensated at the hourly rate of \$18.00 which is within the approved Town of Pawling 2012 budget.

**Resolution 2012016**  
**Appointment Dog Control Officer**

Whereas, the position of Dog Control Officer is an appointed position serving a one-year term at the pleasure of the Town Board of the Town of Pawling, and

Whereas, the current term of the Dog Control Officer is effective to the date of January 4, 2012 hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that John Daley is hereby appointed Town of Pawling Dog Control Officer and is compensated at the salary established within the approved Town of Pawling 2012 budget.

**Resolution 2012017**  
**Appointment Golf Commissioner**

Whereas, the position of Golf Commissioner is an appointed position serving for a three year term and serves at the pleasure of the Town Board, and

Whereas, Joseph “Poppy” Bellucci Sr. has expressed the desire to serve as a Commissioner, now, therefore, be it

Resolved, that Joseph “Poppy” Bellucci Sr. is hereby appointed as a Golf Commissioner for a term of 1/4/12 to 12/31/14.

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CONSENT  
AGENDA  
CONTINUED

**Resolution 2012018**  
**Appointment Fire Marshall**

Whereas, the position of Fire Marshall is an appointed position serving a one-year term at the pleasure of the Town Board, and

Whereas, the current term of Fire Marshall is effective as of the date of the January 4, 2012 hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that Ronald Gallagher is hereby appointed Fire Marshall for the Town of Pawling and compensated at the salary established within the approved Town of Pawling 2012 budget and will serve a term of 1/4/12 to 12/31/12.

**Resolution 2012019**  
**Appointment Town Historian**

Whereas, the position of Town Historian is an appointed position serving for a two-year term at the pleasure of the Town Board, and

Whereas, the current term of the Town Historian is effective to the date of the January 4, 2012 Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that Robert Reilly is hereby appointed Town of Pawling Town Historian.

**Resolution 2012020**  
**Appointment Water District Clerk**

Whereas, the position of Water District Clerk is an appointed position for a one-year term and is at the pleasure of the Town Board, and

Whereas, the current term of Water District Clerk is to be effective to the date of January 4, 2012 hereby known as the Town of Pawling’s reorganization meeting of 2012, now, therefore, be it

Resolved, that Cathy Giordano is hereby appointed the Town of Pawling Water District Clerk for District #1 and #2 within the Town of Pawling, and will be compensated at the salary established within the approved 2012 Town Budget.

**Resolution 2012021**  
**Setting Meeting Dates for the Planning Board and Zoning Board of Appeals**

Whereas, setting the meeting dates for Planning Board and Zoning Board of Appeals for a one-year term, and

Whereas, the meeting dates of the Planning Board and Zoning Board of Appeals is effective the date of January 4, 2012 here by known as the Town of Pawling’s reorganization meeting of 2012, now, therefore, be it

Resolved, that the meeting dates for Planning Board and the Zoning Board of Appeals is as follows:

Planning Board: First and Third Mondays of each month starting at 7:00 PM  
(Except; 1/3, 2/17, 2/21 & 9/4) Meeting held Tuesday after Holiday)

Zoning board of appeals: Fourth Monday of each month starting at 7:00 PM  
(No meeting in December).

**Resolution 2012022**  
**Appointment: Planning Board Member**

Whereas, the Planning Board for the Town of Pawling has an expired term and a vacancy that exists, and

Whereas, the current term of the Planning Board members to be effective the date of the January 4, 2012 hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that Betty Jo Yankowich has expressed interest in returning to service on the Planning Board and Brenda Colberg has expressed an interest in serving, and, be it, further

Resolved, that Betty Jo Yankowich is hereby appointed for a three-year term commencing on January 4, 2012 and ending on December 31, 2014 and shall become compensated at a rate set within the adopted Town of Pawling Budget for each given year.

**Resolution 2012023**  
**Appointment: Secretary Planning Board**

Whereas, the Planning Board for the Town of Pawling needs to appoint a Secretary to the Planning Board and works at the pleasure of the Town Board, and

Whereas, the current term of the Secretary of the Planning Board to be effective the date of the January 4, 2012 hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that JoAnne Daley is hereby appointed Secretary of the Planning Board for a one-year term commencing on January 4, 2012 and ending on December 31, 2012, and, be it , further

Resolved, that the Secretary to the Planning Board shall be compensated at the rate set within the 2012 adopted Budget, and, be it, further

Resolved, that the Secretary to the Planning Board shall be compensated with Flex Time for any time worked outside normal business hours as approved by the Town Supervisor.

**Resolution 2012024**  
**Appointment Zoning Board of Appeals**

Whereas, the Zoning Board of Appeals for the Town of Pawling has an expired term that exists, and

Whereas, the current term of the Zoning Board of Appeals member is to be effective the date of January 4, 2012 hereby known as the Town of Pawling for your organizational meeting of 2012, now, therefore, be it

Resolved, that Brenda Colberg and Marie Cooney are hereby appointed to a three-year term commencing on January 4, 2012 and ending in December 31, 2014 and shall be compensated at the rate set within the adopted Town of Pawling budget for each given year.

**Resolution 2012025**  
**Appointment: Chair Zoning Board of Appeals**

Whereas, the Chair of the Zoning Board of Appeals for the Town of Pawling has a vacancy that exists, and

Whereas, the current term of the Chair of the Zoning Board of Appeals to be effective the date of the January 4, 2012 hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that William Blessey is hereby appointed Chair for a one-year term commencing on one January 4, 2012 and ending on December 31, 2012 and shall become compensated at a rate set within the adopted 2012 Town of Pawling Budget.

**Resolution 2012026**  
**Ad Hoc Committee – Safety and Health**

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Whereas, the Ad Hoc Committee on Safety and Health of the Town of Pawling has a one year term and is in need of reappointment, and

**CONSENT  
AGENDA  
CONTINUED**

Whereas, the current term of the Ad Hoc Committee on Safety and Health Committee member's is to be effective to the date of January 4, 2012 hereby known as the Town of Pawling reorganization meeting of 2012, now, therefore, be it

Resolved, that Vincent De Marco as Chairman, Thomas Llanes, Paul Upham and Edward Osborne are hereby appointed to a term of one year.

**Resolution 2012027**  
**Appointment Conservation Advisory Board**

Whereas, the Conservation Advisory Board for the Town of Pawling has a vacancy that exists, and

Whereas, the current term of the Conservation Advisory Board is to be effective the date of the January 4, 2012 hereby known as the Town of Pawling Reorganization meeting 2012, now, therefore, be it

Resolved, that David Roberts, Sibyll Gilbert, Michael Purcell, Gordon Douglas, Peter Muroski, and Laurel Whitworth are hereby appointed for a one-year term commencing on January 4, 2012 and ending on December 31, 2012.

**Resolution 2012028**  
**Transfer Station Manager**

Whereas, the position of Transfer Station Manager is an appointed position serving for a one year term at the pleasure of the Town Board of the Town of Pawling, now, therefore, be, it

Resolved, that the current term of the Transfer Station Manager is effective to the date of January 4, 2012 hereby known as the Town of Pawling Reorganizational Meeting of 2012, now, therefore, be it

Resolved, that John Daley is hereby appointed Town of Pawling Transfer Station Manager, and compensated at the amount of \$2000 salary established within the approved Town of Pawling 2012 budget, and, be it, further

Resolved, that bi- monthly activity reports relating to the operation of the Transfer Station will be submitted to the Town Supervisor and Town Board members for their review.

**Resolution 2012029**  
**Appointing a Town Court Special Prosecutor(s)**

Whereas, the position of Town court prosecutor is an appointed position that serves at the pleasure of the Town Board, now, therefore be it

Resolved, that Gayle Zelazny is hereby appointed Town of Pawling Town Court Special Prosecutor and Bob Marvin is hereby appointed as the alternate Prosecutor compensated at the rate established within the approved 2012 Town Budget, and be it further

Resolved, the term of Town Prosecutor be effective January 4, 2012 to January 4, 2013.

**Resolution 2012030**  
**Legal Counsel – Litigation / Tax Certiorari**

Whereas, The Town of Pawling retains counsel for advice on legal or court litigation matters, and

Whereas, Daniels and Porco Law Office, 527 Route 22, Pawling has provided counsel for said purpose, now, therefore, be it

Resolved, that the Town Board does hereby authorize Daniels and Porco Law Office be employed and retain services for the purposes of furnishing the Town Board its officers and agencies, with such professional services as may be required and shall receive compensation for such services for Tax Certiorari and Litigation at the hourly rate not to exceed that of 2011.

**Resolution 2012031**

**Attendance Conferences, Meetings and Training**

Whereas, the Town Board of Pawling sets the ability for Town employees and Board members to attend conferences and training for a term of one year, and

Whereas, the attendants at conferences and training shall be effective to the date January 4, 2012 hereby known as the Town of Pawling reorganization of 2012, and now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby authorizes the Town employees and its board members to attend conferences and training within the budgeted amounts approved within the 2012 budget.

**Resolution 2012032**

**Delegate and Alternate to the Association of Town 2012**

Whereas, the Association of Town requires a Delegate be named to represent the Town of Pawling at the Annual Meeting of the Association of Towns of the State of New York, and

Whereas, the Town Board of the Town of Pawling authorizes the appointment of this position, now therefore, be it

Resolved, that David P. Kelly, Supervisor, is appointed as the Voting Delegate to the Association of Towns of the State of New York and William Johnson is hereby appointed Alternate.

**Resolution 2012033**

**Health Insurance Buyout**

Whereas, the Town of Pawling offers employees the ability to join into a buyout program of health benefits annually, and

Whereas, the Town of Pawling employees are required to inform the Town Board of their intention to receive the Buyout for the Health Insurance Plan at the start of each calendar year

Whereas, the employees must conform to the rules set within such buyout program, Now therefore be it

Resolved, that the Town Board of the Town of Pawling hereby grants the Insurance Buyout to the following employees in accordance to Town Law:

John Daley  
Gerald Terwilliger  
Tom Gastio  
Cheryl Knowles  
Gordon Hoag  
Martin Dennis  
Mike Montemarano  
Phil DeRosa

MOTION: Supervisor Kelly  
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

**Resolution 2012034  
Fee Schedule 2012**

Whereas, the Town Board is required to set the fee schedule for the current year, and

Whereas, set the Fee Schedule shall cover areas such as Recreation programs, Facility Use, Building Department and other Departments within the Town of Pawling, now, therefore, be it

Resolved, that the following attached fee schedule is hereby adopted as printed and shall be made part of the record

**Building / Zoning Department**

**Building Permit Fees-Residential**

New Construction	\$0.75 per sq ft
Renovations/Alterations/Additions	\$0.75 per sq ft
Garages	\$0.40 per sq ft
Carports/Covered Membrane Structures	\$0.25 per sq ft
Sheds 201-400 sq ft	\$0.25 per sq ft
Open Deck	\$0.25 per sq ft
Covered/Screened	\$0.40 per sq ft
Sunrooms	\$0.40 per sq ft

Application and Certificate of Occupancy Fee \$ 150 plus:

**Other Building Permit Fees-Residential**

Sheds over 144 sq ft or more than one, up to 200 sq ft,	\$75.00
Roofing which requires an Inspection from Building Department	\$100.00
Pools- Above Ground	\$125.00
Pools-In Ground	\$250.00
Spas- Hot Tubs	\$100.00
Fireplaces/Pellet, Coal, or Wood Stoves	\$100.00
Boilers/Furnaces/Heating Equipment	\$100.00
Oil Tank Removal/Installation	\$100.00
Electric service (no inspections by Building Department)	\$50.00
Generators/Solar Electric Systems/Central Air	\$100.00
All other electrical work that requires inspection by Building Department	\$100.00
Demolition Permit	\$150.00
Blasting Permit (per site-valid 3 months)	\$200.00
Minimum fee for Building Permit for any construction/installation not listed	\$100/ \$0.75 per sq ft

Application and Certificate of Compliance included in fee

**Building Permit Fees-Commercial**

New Commercial Building	\$0.85 per sq ft
Renovation	\$0.45 per sq ft

Application and Certificate of Occupancy Fee \$ 250 plus:

Alteration & Structural Repair (with no change of occupancy)	Application and Certificate of Occupancy Fee \$ 250 plus \$75.00 per inspection
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**Other Building Permit Fees-Commercial**

Construction/Contractor/Sales Trailers (valid one year)	\$250.00
Demolition permit	\$300.00
Tank Removal/Installation (one tank)	\$300.00

Application and Certificate of Compliance included in fee

NON-CONSENT  
AGENDA  
CONTINUED

Additional tanks done at same time	\$100.00
Change of Use/Occupancy	\$150.00
Cell Towers/Windmills	\$2,850.00
Collocation of Antennas	\$2,850.00
Replacement of equipment or any other permitted work on cell tower	\$400.00
Pools-In Ground (not including any accessory structures)	\$500.00

IF WORK HAS NOT BEGUN WITHIN FIRST SIX (6) MONTHS FROM DATE OF PERMIT ISSUANCE THE PERMIT IS NULL AND VOID.

Renewal fee for all permits is 50% of original Building Permit Fee

\*Building Permits are valid for one (1) year

ANY WORK THAT WAS PERFORMED PRIOR TO OBTAINING A BUILDING PERMIT WILL BE DOUBLE THE REQUIRED FEE

Temporary CO (residential only) will be valid for up to 4 months only	\$100.00
Fee for third re-inspection (paid prior to any additional inspections)	\$50.00

**FIRE INSPECTION FEES**

Places of Public Assembly-Annual Inspection	\$200.00
Re-Inspection within 30 days	\$0.00
Re-Inspection after 30 days	\$75.00

Multiple Dwelling (first three units) Every 3 Years	\$200.00
Each additional dwelling unit	\$50.00

Fire Protection Equipment	
Sprinkler & Fire Suppression Equipment Inspection	\$200.00
Modifications to Existing Fire & Sprinkler	\$100.00
Fire Alarm installations	\$150.00

**Zoning Fees**

Area Variance	\$250.00
Use Variance	\$350.00
Zoning Interpretation by ZBA	\$250.00
Administrative Appeal	\$250.00

**Municipal Search Fees**

Municipal Search-Residential	\$150.00
Municipal Search-Commercial	\$300.00

**FACILITIES USE FEE SCHEDULE  
2012**

	<b>RESIDENT</b>	<b>NON-RESIDENT</b>
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**LAKESIDE PARK**

**LATHROP BUILDING:**

<b>Meeting rooms</b>		
<b>JC Penney Board Room</b>	<b>\$100/day</b>	<b>\$150/day</b>
<b>Johnson Room</b>	<b>\$ 50/day</b>	<b>\$100/day</b>
	<b>\$ 20/hr.</b>	<b>\$ 30/hr</b>
<b>Auditorium</b>	<b>\$150/day</b>	<b>\$250/day</b>
<b>Lathrop Building (entire building)</b>	<b>\$500/day</b>	<b>\$750/day</b>
<b>FIELD USAGE</b>	<b>\$500/wk</b>	<b>\$750/wk</b>

\$100/day

\$150/day

**NOTE:** The field fee usage applies to the Great Lawn at Lakeside Park.  
This fee does not include the pavilion, or indoor restrooms.

NON-CONSENT  
AGENDA  
CONTINUED

**PAVILION** \$150/day \$250/day  
(does not include swimming fee)

(\* up to 50 people - more than 50 the fee increases by \$25.00)

New Foundland Dog Club \$750/weekend

**EDWARD R. MURROW PARK**

Lower Pavilion \$ 75/day \$125/day

Upper Pavilion \$175/day \$275/day

**HOLMES WHALEY LAKE** \$150/day \$250/day  
**CIVIC CENTER**

**NOTE:**

1. Fees may be changed or waived at the absolute discretion of the Town Board.
2. Events with 300 or more attendees require ambulance and constable coverage. The sponsors of these events are responsible for the cost associated with this coverage.
3. Rental of entire park will be handled on a case by case basis

**DUTCHER COLF COURSE  
2012 GOLF SEASON PASS FORM**

**LAST NAME**

**FIRST NAME**

\_\_\_\_\_  
\_\_\_\_\_

**STREET:**

\_\_\_\_\_

**TOWN:**

\_\_\_\_\_

**HOME PHONE #:**

\_\_\_\_\_

**2012 SEASON PASSES AND GOLF FEES – GOOD WHEN COURSE IS**

**OPEN**  
**APRIL 1<sup>ST</sup> – NOVEMBER 15<sup>TH</sup>**

<b><u>SEASON PASS FEES</u></b>	<b><u>RESIDENT</u></b>	<b><u>NON-RESIDENT</u></b>
Senior Individual (62 and over)	\$400	\$600
Senior Family (2 Persons)	\$500	\$700
Individual	\$450	\$650
Family (limit 2; ages over 19)	\$600	\$800
Junior (18 and under)	\$175	\$250

**GREEN FEES FOR 9 HOLES / 18 HOLES**

<b><u>WEEKDAYS</u></b>	<b><u>RESIDENT</u></b>	<b><u>NON-RESIDENT</u></b>
Regular	\$16 / \$19	\$19 / \$24
Junior	\$14 / \$16	\$16 / \$18
League	\$16 / \$18	\$18 / \$20
<b><u>WEEKEND &amp; HOLIDAYS</u></b>	<b><u>RESIDENT</u></b>	<b><u>NON-RESIDENT</u></b>

Regular	\$19 / \$22	\$22 / \$27
Juniors (18 and under, anytime)	\$16 / \$18	\$18 / \$20

**NO MOTORIZED DAY CARTS  
SEASON PASSES WILL BE LIMITED TO 150  
NON-RESIDENT MEMBERSHIPS LIMITED TO 25**

**FEE PAID \$** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**SEASON PASS #** \_\_\_\_\_ **RECORDED BY:** \_\_\_\_\_

**PLEASE MAKE CHECKS PAYABLE TO: TOWN OF PAWLING  
\*SEASON PASSES ARE NOT PRO-RATED\***

MOTION: Supervisor Kelly  
SECOND: Councilman Johnson

**Councilman Johnson made a motion to amend Resolution 2012034 by changing the resident fee for the Auditorium to \$350.00 and the non-resident fee to \$500.00, seconded by Supervisor Kelly, motion passed unanimously.**

**Supervisor Kelly made a motion to amend Resolution 2012034 by adding to the fee structure “Non-resident members of any ongoing program shall purchase a non-resident recreation pass”, seconded by Councilman Johnson.**

Councilman Johnson asked if that would be a family membership.

Supervisor Kelly said no, it would be an individual membership.

Councilman Johnson suggested looking hard at the numbers and what the costs would be to the individuals.

Supervisor Kelly said he has observed people coming in and drop off their children and use the facility and Pawling taxpayers are paying for that.

Councilman Johnson said he was in favor of passing this but he felt there would be some repercussions from some groups and that this may need tweaking moving forward.

Supervisor Kelly said he understood that but in these tough times, residents are paying through their taxes for these costs.

**Following further discussion, the motion passed unanimously and the amendment was passed.**

ROLL CALL VOTE ON THE RESOLUTION:

Councilman Johnson – “AYE”                      Councilman Montemarano – “AYE”

Councilman Upham – “AYE”                      Councilman DeRosa – “AYE”

Supervisor Kelly – “AYE”

**Resolution 2012035  
Cancelling Public Hearing Comprehensive Plan Update**

Whereas, the Town Board has set a Public Hearing on the Comprehensive Plan Update for January 4, 2012, and

Whereas, the Consultant advising the Town Board has indicated to the Town Supervisor that the Town Board will need to cancel the noticed Public Hearing, now, therefore, be it

Resolved, that the public Hearing on the Town of Pawling Comprehensive Plan Update scheduled for Wednesday, January 11, 2012 is hereby cancelled.

MOTION: Supervisor Kelly  
SECOND: Councilman Johnson

Councilman Upham asked when the hearing would be.

Supervisor Kelly said he had a meeting scheduled tomorrow with town consultants to discuss the completion of answering all of the public comments and the plan was to release that document and leave it for review for one month and then have

a public hearing. So once the Board receives the document, a public hearing should be scheduled.

ROLL CALL VOTE ON THE RESOLUTION:

- Councilman Johnson – “AYE”                      Councilman Montemarano – “AYE”
- Councilman Upham – “AYE”                      Councilman DeRosa – “AYE”
- Supervisor Kelly – “AYE”

**Resolution 2012036  
Dam Safety Committee**

Whereas, the Town of Pawling has established a committee to advise the Town Board of matters related to the Whaley Lake Dam, and

Whereas, this committee has been diligent over the years of learning the nuances of the potential Dam ownership, district formation, residential communication, and NYSDEC Dam Safety Regulations, and

Whereas, the regulation changes by NYSDEC Dam Safety Division have increased the responsibility of every Dam owner in New York State with requirements such as preparation of an Emergency Action Plans (EAP) and monitoring during major storm events, and

Whereas, the Town of Pawling currently is responsible for two dams within the Town (Green Mountain Lake Dam – Medium Hazard and Holmes Pond Dam- Low Hazard Dam), and

Whereas, the Town in the best interest of the residents should considering using the Whaley Lake Dam Committee to advise the Town Board on Dams that the Town must maintain records on due to the years of knowledge and sound advise given to this Board, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby appoints the membership of the Whaley Lake Dam Committee (Mr. Phil DeRosa, Chairman Mr. Vincent DeMarco, Vice Chairman; Ms. Brenda Colberg, Secretary;, Member; Mr. William Johnson, Mr. David P. Kelly Alt. Member) as the members of the Town of Pawling Dam Safety Committee, and , be it , further

Resolved, that the Dam Safety Committee will advise the Town Board on any and all matters related to Dam Safety it’s regulations and reporting not only to the Dams of responsibility to the Town of Pawling but to any Dams located within the borders of the town. The committee shall help to maintain any and all documents required by New York State Department of Environmental Conservation, Division of Dam Safety.

- MOTION:     Supervisor Kelly
- SECOND:     Councilman Upham

ROLL CALL VOTE:

- Councilman Johnson – “AYE”                      Councilman Montemarano – “AYE”
- Councilman Upham – “AYE”                      Councilman DeRosa – “AYE”
- Supervisor Kelly – “AYE”

Supervisor Kelly moved to the workshop agenda.

The Board discussed the proposed resolutions. Following discussion, it was agreed that resolutions 2012037, 2012038, 2012039, 2012040, 2012041 and 2012042 would be placed on the January 11, 2012 agenda.

**ETHICS BOARD**

Councilman Johnson said with respect to the Ethics Committee, he understood that there is one vacancy and approaching two. Having been involved with Councilman Watson when he was here with the task of forming the committee to select the Ethics Committee, it is quite an onerous task. He has done some research and found that the Town could be served by the County Board of Ethics. He would like to get the Board to support asking the Supervisor to contact the County Executive and see if that is something that the Town could do. It would eliminate a very time sensitive matter of getting a full up and going Ethics Board again. By the time the Board formulates the committee to select people, appoint people, it is a very onerous task. It would remove the expense of the secretary and he felt going forward, thinking outside the box as Supervisor Kelly has asked the Board to do, this is something where the Town and its residents would be better served, seconded by Councilman Montemarano.

Councilman Upham said he did not agree but felt it could be looked into as an option. He would rather keep the Ethics Board, it is still relatively new to the community. The argument that we are such a small town and don't need it, he frankly does not agree with. But let's move on.

Councilman Johnson said he did not hear an argument that the Town does not need one, the whole reason we came up with one was that the Town should have one outside of having a paragraph in a book, which used to be our Ethics Code. He asked Councilman Upham to take the time to get the amount of work that is required to reformulate the selection committee and also look at how many people had come forward for that, it is not a big selection pool. You could remove all of that responsibility from the hands of the Board and the committee and have it handled by the County.

Councilman Upham said he did not agree and that was fine.

Supervisor Kelly said he would be glad to contact the County Executive's Office and see if they are willing to expedite this and he would report back to the Board.

Councilman Montemarano said this is exploratory.

Supervisor Kelly said that is correct.

The motion passed with the following roll call vote:

Councilman Johnson – “AYE”	Councilman Montemarano – “AYE”
Councilman Upham – “NAY”	Councilman DeRosa – “AYE”
Supervisor Kelly – “AYE”	

**FACILITIES USE  
REQUEST  
DENIAL**

Supervisor Kelly said the Board received an email from the Recreation Director requesting the Board deny a Facilities Use Request. It is for the Johnson Room to be used from 1/4/12 through 3/28/12 on every Wednesday evening.

Supervisor Kelly made a motion to deny the Facilities Use Request for the Johnson Room to be used from 1/4/12 through 3/28/12 every Wednesday evening, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly said next month he will start Town Board reports back up.

Councilman DeRosa said next week, he will be away at training so he will miss the meeting.

Supervisor Kelly reminded elected officials that the requirement by New York State is to keep track of time from the beginning of the year on.

**PUBLIC  
COMMENT**

Supervisor Kelly opened the meeting for public comment.

John Daley, Highway Superintendent asked about the position of Secretary to the Highway Superintendent. He said he understood we are waiting for something from Dutchess County Personnel Department and he would like to advertise and interview for the position in the meantime and get that process started.

Supervisor Kelly said he would like to wait to hear back from Dutchess County Personnel Department because they have to approve the title as there is not another title in the County that is the same. He contacted the office yesterday and no one called him back but he is pushing forward because he understood Mr. Daley

needed someone there. He would call again tomorrow and see if he could move this forward.

Vinny DeMarco thanked Supervisor Kelly for his "State of the Town Address". He congratulated Councilman DeRosa, Councilman Montemarano and Supervisor Kelly for their election/re-election. He said the easy part was getting elected, what is ahead is hard as there are a lot of challenges waiting to be resolved and work that needs to be done. He had total confidence that work will be done and it will be done in the most efficient way. He loved the opportunity in America that anyone can say whatever is on their mind and there is always progress to be made. Some of the work that needs to be done is continued improvements at Lakeside Park, the Holmes Whaley Lake Civic Association building, and all Town dams. He would also like to see the bridge off of Route 22 get taken care of. He wished the Board all the best, a Happy New Year and said he felt totally confident with this Board.

Anthony Muccioli said he saw some work being done at the bridge but then it stopped. He said he wasn't sure what had happened since the last meeting he was here.

Councilman Montemarano said the Town put bids out for a temporary solution for the Old Pawling Road Bridge and they came back well in excess of what the Board expected for budget numbers.

John Daley, Highway Superintendent said because of the way the bids came in, it makes more sense to pursue the wooden bridge as more of a permanent solution. He is looking into how he would be able to pay for it. There are permits that will have to be obtained and he would have to have the plan for the bridge before he can apply for those permits.

Councilman Montemarano said efforts to borrow a bridge in the interim are ongoing and Mr. Daley may be fortunate enough to get one.

Melissa Smith, Recreation Director said Wendel Weber, Supervisor of Buildings & Grounds and his crew stripped the floors in the Teen Center and they look incredible and the building is spotless. The place looks great and the Board should stop by and see it. She suggested the Board hold a meeting in that building sometime soon.

Supervisor Kelly thanked Mr. Weber and his crew for the work they did at the Teen Center.

Helen Grosso said it is nice to be here and nice to see all of this energy and good ideas. She thanked everyone who is now on the Board. She wanted to address the question of the Ethics Committee and she asked that everyone on the Board come to a meeting of that Board as she felt they would be pleased with what happens there. She felt the Ethics Board was an asset to the Town. She felt anyone in Town would be thrilled to know more about it. There is a sense of fairness and just. There is one vacancy and it is approaching two but she believed there was someone who was willing to serve again, Judy Pisano so that is not a hard one. It seems to her that filling the other vacancy is not a challenging endeavor because you will again have people who are there and willing to come forward. She suggested the secretarial work be done by a volunteer. She felt the Ethics Board was worth every bit of effort. There are four people on the Board who are totally into it. She encouraged the Board to find ways to keep it, saying she would hate to see it in any way disbanded.

Harvey Matcovsky congratulated Councilman DeRosa, a fellow Holmes resident who is burdened by the water bill that is in the mail and the fact that he may have to take a second mortgage out to build a dam. He was sure Mr. DeRosa would look out for the best for all citizens and he offered his help to Mr. DeRosa. He was disappointed the local newspaper was not supported and he would have hoped the Town would have supported it. The other issue is the Ethics Committee. He is probably one of the few people who went to a meeting of that committee to see how it works. It is a totally impartial thing. He has learned that the appearance of impropriety is the problem and sunshine is the best disinfectant. To the best of his knowledge, nothing improper has come up. There will be rumors around and people will make accusations and one of the purposes of this committee is to diffuse these rumors and to give an avenue for anyone who has a justified complaint to have a proper hearing. He felt it was a very important thing. As far as the cost, you could say that about any endeavor or any committee, it is going to require some cost. The idea of sunshine and disinfectant is more important and he felt the Ethics Committee should be given a chance to work. If it doesn't work, then it can be pawned off on someone in Poughkeepsie.

**JANUARY 4, 2012**  
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There were no further comments.

**PUBLIC**  
**COMMENT**  
**CONTINUED**

The motion to adjourn was made by Supervisor Kelly at 8:05 PM, seconded by Councilman Johnson, motion passed unanimously.

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Town Clerk