

Supervisor David P. Kelly opened the Workshop Meeting of the Town Board of the Town of Pawling at 6:30 PM March 7, 2012 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Montemarano, DeRosa and approximately 35 interested citizens.

**EXECUTIVE
SESSION**

The motion to enter Executive Session to discuss legal matters on tax assessment matters and personnel matters was made by Councilman Johnson at 6:32 PM, seconded by Councilman Upham, motion passed unanimously.

The motion to enter into the regular session was made by Councilman Upham at 7:20 PM, seconded by Councilman Johnson.

Supervisor Kelly said no decisions were reached in Executive Session. The motion passed unanimously.

The Board entertained a presentation by Rick Reid from Pawling/Beekman Roller Hockey. Mr. Reid thanked the Board for allowing time for this presentation. He said this is their 17th year working with the Town. He stated that this year Pawling/Beekman Roller Hockey switched their insurance to a company called USA Roller Sports. In order to become registered and insured, there is a form that needs to be signed and submitted by the Town of Pawling.

**PAWLING
ROLLER HOCKEY
PRESENTATION**

Supervisor Kelly said the Board would take this matter up under “Other Business”.

The Board entertained a presentation by James Nytko from Capital Market Advisors, LLC regarding the Lakeside Park bonding. Mr. Nytko explained that Capital Market Advisors, LLC is a financial advisory firm and he works in their Hopewell Junction office. He explained that they handle financial matters for several municipalities and school districts in Dutchess County. He said Beth Ferguson would be the Town’s representative and that he was filling in for her tonight as she was not available at this time. He said the bonds for Lakeside Park were originally issued in 2003 and given the current market rates, there is an opportunity for the Town to refinance these bonds and save approximately 7%, totaling approximately \$35,000.00 per year totaling approximately \$415,000.00 over the course of the bond. He explained the process of the refinancing to the Town Board, stating that costs are all included in the savings he projected previously. He said he would be happy to answer any questions the Board may have.

**CAPTIAL MARKET
ADVISORS
PRESENTATION –
LAKESIDE PARK
BOND
REFINANCING**

Supervisor Kelly said the Board would discuss and digest this information and get back to Mr. Nytko with their decision.

The Board entertained a presentation by the Pawling Recreation Department regarding the Pawling Triathlon and the teen programs it supports. Recreation Director Melissa Smith, Assistant Recreation Director Robyn Wooley and Katie Philips were present. Ms. Smith reported that in addition to it being the 25th Annual Pawling Triathlon, with the removal of Cottage Row at Lakeside Park, she was able to expand registration from 550 athletes to 700. Triathlon registrations are now closed and the Triathlon is full. She turned the presentation over to Mr. Derick Kowalczyk, Mr. Joseph Montemarano, Mr. Henry O’Connor, Mr. Dylan Smith and Mr. Kevin Tarczali, who each wore a tee shirt representing a teen program. Ms. Wooley and the gentlemen explained the top ten reasons to donate to the 25th Pawling Triathlon. The gentlemen took turns introducing and explaining teen center programs and the goals they have achieved. They explained the accomplishments of the Interact Club of Pawling, the Teen Club, the Counselor in Training program, Teen Camp, the After School Club & Programs and employment opportunities offered for teens. They described how the Teen Center building is used, special events that are held and how the staff is kept involved. They explained that they have conducted many fund raisers through these programs and all funds raised were donated to the community. Their programs are geared toward giving back to the community. The teens closed the program by thanking the Town Board for giving them the opportunity to hold these programs and events.

**PAWLING
RECREATION
DEPARTMENT
PRESENTATION
ON REASONS TO
DONATE TO THE
TRIATHLON**

Supervisor Kelly thanked the teens for their service to the community and he thanked Recreation Director Melissa Smith for her work also.

The Board entertained a presentation by the Town of Pawling Ethics Board. Present were Chairman Christopher Meagher, Larry O’Neill, Ed Grippe and Judy Pisano.

**PAWLING ETHICS
BOARD
PRESENTATION**

Chairman Meagher explained that this was the Ethics Board first time before the Town Board. His presentation included a request for dialogue between the Ethics Board and Town Board. He also requested the Town Board consider the proposed

**PAWLING
ETHICS BOARD
PRESENTATION
CONTINUED**

changes to the Town Ethics Code that were submitted by the Ethics Board. In addition, he requested the Town Board fill the two vacant seats on the Ethics Board. He explained that recently, Ms. Pisano's Board position expired or her term ended but she has graciously agreed to stay on pursuant to the Public Officer's Law until the position is eliminated or until the position is filled with another appointment. He hoped the Board would consider reappointing Ms. Pisano as the Ethics Board has benefited enormously from her participation. The Ethics Board would like to assist the Town Board in ethics issues that employees and elected officials are confronted with on a regular basis. He asked the Board to consider those thoughts while other people are speaking and he would like to ask questions when they are done.

Supervisor Kelly said this evening the Town Board would take the Ethics Board's recommendations under advisement and would get back to them at a later date.

Mr. Meagher said the Ethics Board welcomed any subsequent opportunity to not only ask questions but to have conversations.

Ms. Judy Pisano made a presentation on why there is a need for revisions to the Town of Pawling's Ethics Code. She referred to a model ethics code introduced recently by NYS Comptroller Thomas DiNapoli, which supported the proposed changes to the Town of Pawling's Ethics Code. She stated that these were complete and comprehensive guidelines pertaining to ethical matters for municipal and local governments. These guidelines address many issues, including nepotism and conflicts of interest in local governments. She hoped the Town Board would consider the Ethics Board proposed revisions and stated that the Ethics Board was a viable asset to the Town Board.

Mr. Larry O'Neill thanked the Town Board for the opportunity to be here. He reviewed the proposed revisions to the Town's Ethics Code, explaining that he was the author of the document that was presented to the Town Board on December 3, 2010. He explained that he referred to many other ethics codes that were available from cities and towns in New York State. He felt there should be a Code of Ethics in all town codes.

Dr. Ed Grippe explained the reasons the Ethics Board was formed, such as to advise employees and officers of the Town of Pawling on ethical questions they might have and to assist the Town in the education and update employees and officers about the meaning, importance and application of ethics matters in the workplace. The Ethics Board can also deliberate complaints made by citizens or employees concerning alleged ethical violations by town government or its employees and also to update the ethics code as needed. He stated the Ethics Board has educated themselves about New York State ethics laws and opinions. They have offered the Town Board their assistance in education for all employees and officers as mandated by New York State. Into the future, the Ethics Board plans to continue serving for the Town Board and Pawling community. He believed that cooperation and mutual respect should be fostered by all and dialogue should replace silence. He said it is within the power of the Town Board to revise Sections 27 and 28 of the Town Code and in doing so, they could eliminate the Ethics Board and he hoped that would not be the case without due cause, opinion, and interest. Preferences should not replace professionalism, and also should not compromise the integrity of any Ethics Board and definitely not the Town Board.

Supervisor Kelly said the Town Board would take the Ethics Board's recommendations and said they have given the Board things to talk about in the future.

Chairman Meagher said the Ethics Board looks forward to hearing from the Town Board and welcome the opportunity to come back.

Supervisor Kelly thanked the Ethics Board for their presentation.

**PROPOSED
RESOLUTIONS**

The Board discussed the proposed resolutions. Following discussion, it was agreed that resolutions 2012051, 2012052, 2012053, 2012054, 2012055, 2012056, 2012057, 2012058 and 2012059 would be placed on the March 14, 2012 agenda.

**TOWN
JUSTICES
ANNUAL
REPORTS**

Supervisor Kelly acknowledged receipt of the annual reports from the Town's Justices. They were distributed to the Town Board.

**ETHICS BOARD
ANNUAL
REPORT**

Supervisor Kelly acknowledged receipt of the annual Ethics Board report, which was distributed to the Town Board.

**PAWLING-
BEEKMAN
ROLLER
HOCKEY 2012
USE OF TOWN**

The motion to allow Pawling/Beekman Roller Hockey to continue the use of the roller hockey facility for the season, which is the summer of 2012, was made by Supervisor Kelly, seconded by Councilman Johnson.

Councilman Johnson asked if they should fill out a facilities use request to have on file, which would coincide with their insurance request, which should be reviewed.

Supervisor Kelly agreed. He said Pawling/Beekman Roller Hockey wanted the Board to pass this motion so they can send it into their insurance. Then it would still be pending the facilities use request.

The motion passed unanimously.

**PAWLING-
BEEKMAN
ROLLER HOCKEY
2012 USE OF TOWN
FACILITY
CONTINUED**

Councilman Upham said regarding the Town's totaled automobile, the Board can either accept a settlement or repair the vehicle. He recommended accepting the settlement.

**TOTALED TOWN
AUTOMOBILE
INSURANCE
BUYOUT**

The motion to accept the insurance buyout from Selective Insurance Company on the vehicle and let them take the vehicle was made by Supervisor Kelly, seconded by Councilman Upham.

Supervisor Kelly said he would not put his family or a Town employee back into a vehicle that was being totaled by an insurance company.

Councilman Montemarano felt there was no point in wasting any more time on an eleven year old vehicle that carries passengers. The money should be put toward a good vehicle.

The motion passed with the following roll call vote:

Councilman Montemarano – "AYE"

Councilman Upham – "AYE"

Councilman DeRosa – "AYE"

Councilman Johnson – "ABSTAINED"

Supervisor Kelly – "AYE"

Councilman Johnson said NYSEG will be replacing the pole at the golf course that was knocked down in the hurricane this Saturday. This is at no cost to the Town as NYSEG was being reimbursed by FEMA. He has been in contact with Tom D'Ottavio, who is ready to go and wants to open the golf course soon.

JOHNSON

Supervisor Kelly said he, along with other Town employees and officials attended the NYS Association of Towns conference in New York City. It was a very good event and they saved the Town money by staying at a smaller hotel about six blocks away. He met with the attorney about sixteen times this month. He met with Winakee Land Trust regarding trail systems and will send him a flyer on a breakfast they will be holding. He met with representatives of Crew's Voice regarding things they would like to do in town. He attended two Planning Board meetings and met with the Tax Assessor on tax matters. He has been looking into options with Verizon Wireless to save money. He attended the Pawling Joint Sewer Committee meeting in February and will attend another one tomorrow night. He will be meeting with NYSEG to talk about storm related issues and a gas franchise in the area. There is a Whaley Lake Dam meeting tomorrow with NYS DEC, NYS Mitigations, FEMA and the Whaley Lake Dam Committee. Alon Dornitz, Head of Dam Safety will be attending this meeting. He thanked Vinny DeMarco for the use of his boat for these meetings. He reminded everyone that the clocks need to be turned ahead this weekend.

KELLY

Councilman DeRosa said he attended the NYS Association of Towns conference in New York City and it was very informative. He finally had a chance to visit the Pawling Recreation office and Melissa Smith, Recreation Director and Robyn Wooley, Assistant Recreation Director. He has been working with Councilman Montemarano on improvements at the Holmes Whaley Lake Civic Association building and the Teen Center bathrooms. He has been working with Highway Superintendent Daley and Councilman Montemarano on the Old Pawling Road Bridge. He said regarding Lynn Dolan's comments on Joe Battle's house at the last meeting, Tom Corrao, Building Inspector has been working with the property owner and the property is being cleaned up and it is looking better. He has been working with Mr. Corrao on an amnesty program for people who have not received Certificate of Occupancy's. Some of these permits have been taken out and no one followed up on them and C/O's were never issued and some of them go back to 1973. This would be done in an effort to try to clean up the Town's records. He and Mr. Corrao would be happy to answer any questions the Board may have.

DEROSA

Mr. Corrao, Building Inspector said this would clean up the files and be favorable if there were ever an audit by the Department of State. It would also go a long way to streamlining everything in the new computer system.

Following discussion, it was agreed that Councilman DeRosa and Mr. Corrao would formalize this proposal and submit it to the Board.

MONTEMARANO

Councilman Montemarano said he has asked Councilman DeRosa to help him on Buildings & Grounds matters and the Old Pawling Road Bridge. Councilman Montemarano said there are many improvements to Town buildings planned for this year. He hoped to have something ready for next meeting regarding an advertisement for letters of interest from skilled craftsman who may want to work on Town capital projects as project employees who would be hired for particular projects or repairs. The Town has to find a way to fix things cheaper than constantly doing RFP's. The Town spent \$4,000.00 to put a bid out to put a new roof on town hall by doing it through formal bid. The Town can't afford that and has to have another way. He has done considerable homework with Dutchess County Personnel and some of the other agencies and there is a clear route forward. He understood that there was some different understanding of what the Board is trying to do out in the public but hopefully people will take a look at previous minutes from previous meetings and see what the Board has been trying to do.

Councilman Johnson said it will be represented in their tax bills.

OLD PAWLING
ROAD BRIDGE

Councilman Montemarano asked John Daley to give an update on the Old Pawling Road Bridge replacement. He said previously, the projected replacement of the bridge was estimate at costing \$600,000.00 to \$700,000.00. The proposed bridge will be a new, unrestricted weight bridge which will be done sometime this spring which will certainly come in well under \$100,000.00 complete with engineering services and the like. The bridge would be assembled by employees of the Highway Department.

Mr. Daley gave an update on the replacement of the Old Pawling Road Bridge. He explained that he has been working with the railroad and he is just about ready to apply for those permits. He explained the process of replacing the bridge and the costs associated with the replacement. He expected the bridge to be completed by the middle of June. Mr. Daley announced that the residential bulk pickup day for the Town of Pawling would be held on April 30, 2012.

BULK CLEANUP
DAY 2012

UPHAM

Councilman Upham congratulated the Pawling Recreation Department on the presentation and brochure for the Triathlon. He reported that he and Councilman DeRosa were at the last Shorehaven water district meeting, which was pretty straightforward. He attended the Association of Towns meeting, which was pretty valuable.

Supervisor Kelly opened the meeting for public comment.

PUBLIC
COMMENT

Vinny DeMarco said it was wonderful to see the Board working hard and to see the good programs the Town has. He was in favor of the amnesty program and he felt those issues needed to be addressed. He thought the work done on the bridge was wonderful. There is work that needs to be done at the Holmes Whaley Lake Civic Association building and anything that can be done there is much appreciated. He thanked Supervisor Kelly for the vests for the Whaley Lake Dam inspection for tomorrow.

Mr. Joe Connors expressed concern about the refinance on the Lakeside Park bonding because he has read that long term bonds are not the thing to get into right now. He suggested the gentleman who made the presentation to the Board this evening look into the safety of long term bonds.

Diana Cretella, resident of Pawling, said based on the ethics presentation, she would expect that any Town Board that conducts its business with honesty, integrity and transparency would welcome the existence of an ethics board, as well as a comprehensive code document. She felt the ethics board should be kept in place.

Stephen Sollazzo said there was a sewer meeting with the majority leader and he wondered what happened with that.

Supervisor Kelly said he has not heard yet.

There were no further comments.

The motion to adjourn the meeting was made by Supervisor Kelly at 8:47 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk