

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:05 PM September 12, 2012 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Montemarano, DeRosa, Upham, Johnson and approximately 8 interested citizens.

COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC HEARING

Supervisor Kelly opened the Dutchess County Community Development Block Grant public hearing.

There were no comments from the audience and Supervisor Kelly closed the public hearing.

PUBLIC COMMENT ON AGENDA ITEMS

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

MINUTES

The motion to approve the minutes of August 1, 2012 was made by Supervisor Kelly, seconded by Councilman Upham, motion passed unanimously.

The motion to approve the minutes of August 8, 2012 was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

RESOLUTIONS

Resolution 2012111 Payment of Bills for the Town of Pawling

Whereas, The Town of Pawling Bookkeeper has reviewed and prepared the vouchers for the month of August 2012 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 20120995 through 20121132, now therefore, be it

Resolved that the Pawling Town Board hereby accepts the vouchers as prepared on the recommendation of the Bookkeeper, and, be it, further

Resolved, that the Town Board hereby authorizes payment of said vouchers for the Town of Pawling on this date in the amount of \$357,297.07.

AMENDMENT

Supervisor Kelly offered an amendment to the Resolution 2012111, in the last resolved, the dollar amount should read \$358,297.07, which is a \$1,000.00 difference, seconded by Councilman Johnson.

Supervisor Kelly said this amendment reflects a \$1,000.00 purchase of a generator.

The amendment passed unanimously.

MOTION ON RESOLUTION 2012111: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman Montemarano – “AYE”

Councilman Upham – “AYE”

Councilman DeRosa – “AYE”

Supervisor Kelly – “AYE”

**Resolution 2012112
Assessor Position**

Whereas, the Town of Pawling currently operates with a vacancy in the position of Town Assessor, and

Whereas, the Town Board has advertised and interviewed with the intention to fill the vacant Assessor position, now, therefore, be it

Resolved, that the Town Board hereby authorizes the Town Supervisor to sign a contract with the Town of Patterson for Assessor services two business days per week pursuant to the contract at a rate of \$----- per year to be paid in monthly installments.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Supervisor Kelly said he met with the Town Supervisor of Patterson today to discuss the contract for the Assessor position. The cost to the Town of Pawling will be \$39,500.00. In the conversation last week, the cost was \$22,500.00 but the Town of Patterson Supervisor had not checked with the Comptroller’s Office. At this point, the Comptroller’s Office has confirmed, as well as the person in question, that \$39,500.00 would come through for two days per week work in Pawling and would cover the normal business of the Assessor, it would cover tax cert’s, small claims and equalization rate adjustments (fight ORPS). He felt that \$39,500 was Patterson’s bottom line. The time frame will be from any time in this month, and he hoped to have it signed by the end of this week, through 12/31/2013. The rate would be \$3,291.67 per month.

Councilman Johnson asked what would happen if the job couldn’t be done in two days per week.

Supervisor Kelly said the Patterson Assessor is confident he can do it. Plus the additional days are any other days needed for tax cert’s or small claims.

Councilman Johnson asked if there should be a rider saying if additional days are needed, the Town of Pawling is not responsible for paying extra.

Councilman Upham felt paragraph ten covered that, as it says the contract can be terminated by either party with ten days of written notice.

Councilman DeRosa said in speaking with the Patterson Assessor, he felt it would take time to get caught up from the back log but he did feel he could still get the equalization rate higher.

Supervisor Kelly said a part time clerk would also be hired so that would help the Assessor as he would train that person.

Councilman Johnson said he wanted to get into this and move forward.

Supervisor Kelly said that is what the intention is, to move forward and have this person come in and get the job done. The Town of Pawling only has 4,000 parcels. He said he felt comfortable with the contract. The only thing he wanted to do was change the date.

Councilman DeRosa said he was impressed with the Patterson Assessor when he spoke with him, he seemed capable of doing the job.

Councilman Upham added that he checked references on the Patterson Assessor and they were all 4.0.

AMENDMENT

Supervisor Kelly offered an amendment to Resolution 2012112 to add in the last line of the “Resolved”, “contract at a rate of \$39,500.00 per year to be paid in monthly installments”, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly said for the Board’s knowledge, the Town Attorney has stated that this is a contract with the Town of Patterson and it exclusively states that the individual Chris Boryk will be working for the Town of Pawling, not another person so they can’t put

anyone else in there. He stated the Town of Patterson is meeting tonight to go over these final numbers and hopefully they will give the authorization to sign the contract.

ROLL CALL VOTE ON RESOLUTION 2012112:

Councilman Johnson – “AYE”

Councilman Montemarano – “AYE”

Councilman Upham – “AYE”

Councilman DeRosa – “AYE”

Supervisor Kelly – “AYE”

Resolution 2012113
#2 Heating Fuel Oil and Service of Oil Fired Heating Equipment

Whereas, bids were duly advertized and noticed for #2 Heating Fuel Oil and Service Boiler Maintenance Service for the year 2013, and

Whereas, the notice had been advertised in the Poughkeepsie Journal on August 24, 2012 and was noted to be opened on September 5, 2012 at 10:15 am, and

Whereas, the bids have been reviewed and submitted for the Town Board’s review and approval and are on the tabulation sheet attached, now, therefore, be it

Resolved, that the following bids for #2 Fuel Oil and Boiler Maintenance Service be awarded per the specifications within the bid packet to _____ of _____ in the amount of \$ _____ per gallon, and the Boiler Maintenance Service bid is hereby awarded to _____ in the amount of \$ _____ per hour of service work.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Councilman Montemarano said he did some research over past years and did calculations on the bid results. Bottini’s is the most economical bid and he recommended they be awarded the bid.

Supervisor Kelly introduced an amendment to Resolution 2012113 based on the recommendation of Councilman Montemarano that in the Resolved, that the blanks are filled in, “specifications within the bid packet to Bottini Fuel in the amount of \$0.075 per gallon, and the Boiler Maintenance Service bid is hereby awarded to Bottini Fuel in the amount of \$85.00 per hour of service work”, seconded by Councilman Johnson, motion passed unanimously.

ROLL CALL VOTE ON RESOLUTION 2012113:

Councilman Johnson – “AYE”

Councilman Montemarano – “AYE”

Councilman Upham – “AYE”

Councilman DeRosa – “AYE”

Supervisor Kelly – “AYE”

Resolution 2012114
Budget Transfer

Whereas, budget transfers are needed from time to time for proper accountability, control and operation of a municipality’s budget, and

Whereas, the Bookkeeper has recommended to the Budget Officer that the follow transfers be made to various lines of the adopted 2012 operational budget, and

Whereas, the recommended changes are a result of payments to the Town of Pawling from FEMA as a result of damage the Town suffered as a result of Hurricane Irene in 2011, now, therefore, be it

Resolved, that the Town Board hereby authorizes the following budgetary transfers to the adopted and modified 2012 budget:

General Fund

Increase 1620.100A	Bldgs. – Personal Svcs.	\$3,519.27	
Increase 1620.201A	Equipment	8,617.85	
Increase 1620.426A	Cont.- Mtn. & Repair	7,200.00	
Increase 4960.000A	Federal Aid – FEMA		19,337.12

Highway O/S Village

Increase 5110.100DB	– Personal Svcs.	4,851.49	
Increase 5110.400Db	- Contractual	1,945.47	
Increase 5130.400DB	- Contractual	8,031.36	
Increase 4960.000DB	- Federal Aid – FEMA		14,828.32

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

FURTHER BUSINESS TO COME BEFORE THE BOARD

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION (CDBG)

Councilman Montemarano said the Community Development Block Grant applications are due in Poughkeepsie by October 19th by 5 PM. The Board will have to make a decision at the Workshop Meeting in October as to what the project will be in order to have a couple of weeks to put the application together.

Supervisor Kelly said Todd Bender, Legislative Aide will attend the mandatory CDBG public hearing.

Councilman DeRosa said he and Councilman Montemarano will be attending the public hearing. He has spoken with Curt Johnson from Zarecki & Associates regarding putting numbers together for the HWLCA building for the 2012 CDBG application.

Councilman Johnson said there are other projects the Board needs to keep in mind and make a decision on as a Board, for instance handicapped bathrooms at the ballfields and hockey rinks and the bathrooms at The Inn. These are two critical areas. The ballfields will be up and running this year and there will be many people using the portable johns.

Supervisor Kelly suggested all Board members get ideas to Councilman Montemarano by the end of the month and the Board will need to choose one to go forward with at the workshop meeting in October.

TOWN HALL PARKING LOT UPGRADE BY CHAMBER OF COMMERCE

Supervisor Kelly said the Pawling Beautification Committee, as part of the Pawling Chamber of Commerce, has asked if the Town would like to have the parking lot redesigned at Town Hall. They have requested taking out the guiderail and making more of a grassy area with plantings at no cost to the Town of Pawling. They will redesign the sign and planter and make it more aesthetically pleasing. He was hoping to have a

drawing ready but it wasn't ready yet. When the design is ready, the Board can discuss it and possibly approve something at the October 3rd meeting.

PART TIME-TEMPORARY LABORER/BUILDINGS & GROUNDS

Supervisor Kelly said he emailed Supervisor of Buildings & Grounds Wendel Weber's request for additional employees to the Board. Mr. Weber proposes to take the seasonal position and allow the person to continue on from October 1st to December 31st for 24 hours per week, which cuts the time down from the current 40 hours per week. That would come out of the Buildings & Grounds budget. There is another position where there are 180 hours left for the year, which is a temporary part time position at \$12.00 per hour. Mr. Weber would like to advertise and fill that position. It would be advertised on the Town's website, Town Clerk's Board, in the newspaper and at the County Dept. of Human Resources. They would be doing more weed whacking and getting things up to standards and also work on continuing projects.

Councilman Montemarano said the Board had talked about perhaps hiring people with skills, people who would fix things.

Councilman Johnson said that is a discussion that should happen in the budget process.

Councilman DeRosa felt the Board should look at hiring people with more skills so work can get done.

The motion to authorize Wendel Weber, Supervisor of Buildings & Grounds to notice and hire the position of laborer was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

PRIMARY ELECTION CONFLICT WITH TOWN COURT

Supervisor Kelly reported that there was a conflict with Town Court and the primary election tomorrow. He would see what could be done to accommodate both.

EXECUTIVE SESSION

The motion to enter Executive Session to discuss a contractual matter was made by Supervisor Kelly at 7:35 PM, seconded by Councilman Upham, motion passed unanimously.

The motion to enter into the regular course of business was made by Supervisor Kelly at 7:55 PM, seconded by Councilman Upham, motion passed unanimously.

Supervisor Kelly said the Board met and no decisions were made in Executive Session.

The motion to allow the Supervisor to enter into a contractual agreement with Sullivan Data Management for a term of one year at a cost of \$16, 650.00 per year subject to the attorney's approval of the document was made by Supervisor Kelly, seconded by Councilman Upham, motion passed unanimously.

PUBLIC COMMENT

Vinny DeMarco expressed his appreciation for the opportunity to attend the Table Top Exercise on the Nuclear Lake Dam at the Pawling Fire House. He thanked Supervisor Kelly for making this possible and he also thanked Councilman DeRosa. The exercise was great, he learned a lot and hoped he would never need it.

There were no further comments.

The motion to adjourn was made by Supervisor Kelly at 8:00 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk

**Town of Pawling
Fuel Oil Bid**

Bid Opening: September 5, 2012 at 10:15 AM

Name	Address	Option One #2 Heating Fuel JOC Newburgh Terminal + \$ per gallon	Option One Burner Service \$ per hour	Option Two #2 Heating Fuel, JOC Newburgh Terminal + per gallon including labor for servicing & repair in Addendum #1	Option Two \$ per Gallon
Bottini	PO Box 1640 Wappingers Falls, NY 12590	\$0.075	\$85.00	No Bid	No Bid
Love Efron	154 Garden Street Poughkeepsie, NY 12601	\$0.2700	\$90.00	\$0.2850	\$3.8110
Wilson Oil	634 Route 52 Beacon, NY 12508	\$0.2975	\$104.95 + parts	\$0.6975	\$.6975 + parts