

Supervisor David P. Kelly opened a Special/Emergency Meeting of the Town Board of the Town of Pawling at 3:45 PM December 21, 2012 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen DeRosa, Upham, Montemarano and approximately 4 interested citizens. Councilman Johnson was absent.

PUBLIC COMMENT ON AGENDA ITEMS

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

RESOLUTIONS

**Resolution 2012144
Award of Bid – Boiler: Lathrop**

Whereas, the Town of Pawling has requested a bid for a replacement Boiler for the Lathrop Building at Lakeside Park, and

Whereas, bids were opened by the Town Clerk on December 21, 2012 at 3:30pm, and

Whereas, under New York State General Municipal Law 103 sub section 4; allows for a provision of Public Emergency bid award, and

Whereas, the failure of a boiler has affected a *Public Building* that requires *Immediate Action* due to the *Unforeseeable Occurrence* that would affect the Lathrop Building due to winter weather conditions, now, therefore, be it

Resolved, that the bid for the replacement Boiler based on the tabulation sheet provided by the Town Clerk is hereby awarded to _____ in the amount of _____ having met all of the specifications.

MOTION: Supervisor Kelly
SECOND: Councilman DeRosa

AMENDMENT

Supervisor Kelly offered an amendment to add in the “Resolved”, “hereby awarded to Fountain Plumbing & Heating, Inc., 21 West Main Street, Pawling, NY in the amount of \$8,400.00”, seconded by Councilman Montemarano.

Councilman Montemarano wanted to confirm before the Board moves ahead with the bid award that Wendel Weber, Supervisor of Buildings & Grounds met with everyone who submitted bids at the site and explained to everyone who came and inspected the equipment that the Town needs this project to begin no later than the 26th of December, preferably earlier and finished by the weekend at the latest.

Mr. Weber said all bidders are aware that this is an emergency.

Councilman Montemarano asked if all bidders are capable of meeting those requirements.

Mr. Weber said all bidders said they could meet those time frames.

The motion on the amendment passed unanimously.

ROLL CALL VOTE ON RESOLUTION 2012144:

Councilman Montemarano – “AYE”

Councilman DeRosa – “AYE”

Councilman Upham – “AYE”

Councilman Johnson – “ABSENT”

Supervisor Kelly – “AYE”

PUBLIC COMMENT

Vince Egan from Bottini Fuel said they found the boiler leaking last month and sent in a proposal last month to replace the boiler. In the current bidding process, the Town's bid looks word for word like his proposal. He did not know how fair it is to do that, when his words were used in the Town's bid.

Supervisor Kelly said the bids were sealed bids.

Mr. Egan said he understood that but his proposal from a few weeks ago looks word for work like the Town's bid wording.

Supervisor Kelly thanked Mr. Egan for his comments.

The motion to adjourn was made by Supervisor Kelly at 3:55 PM, seconded by Councilman DeRosa, motion passed unanimously.

Town Clerk