

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 6:30 PM March 13, 2013 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Montemarano, Upham, DeRosa and approximately 14 interested citizens.

EXECUTIVE SESSION

The motion to enter Executive Session was made by Supervisor Kelly to discuss potential litigation at 6:31 PM, seconded by Councilman Upham, motion passed unanimously.

The motion to return to the regular order of business was made by Supervisor Kelly at 7:10 PM. Seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly said the Board met with its counsel and have nothing to disclose at this time.

PAWLING FREE LIBRARY PRESENTATION

The Board entertained a presentation by Brian Smith, President of the Pawling Free Library.

Mr. Smith introduced new Library Director Tracy Priest to the Board. He said Ms. Priest is formerly from the Phoenicia Library. Ms. Priest came highly recommended and they are happy to have found her.

Ms. Priest said she is very happy to be here and to be chosen for this position. She is excited about the possibilities for the future.

Supervisor Kelly said there are many volunteers willing to help and get involved. He said Ms. Priest should feel free to reach out to people, and especially to the Town Board as they are willing to help out whenever needed. He presented the Library's first payment of the year to Mr. Smith.

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 February 6, 2013 and February 13, 2013 was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

RESOLUTIONS

CONSENT AGENDA

Resolution 2013059 Payment of Bills for the Town of Pawling

Whereas, The Town of Pawling Bookkeeper has reviewed and prepared the vouchers 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 20130157 through 20130289, 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 \$1,473,297.97.

Resolution 2013060
Acceptance of Donations

Whereas, the Town of Pawling from time to time is offered and or given gifts or services to benefit the town, and

Whereas, under Best Business Practices, the Town Board shall authorize all gifts to the Town, and

Whereas, the Supervisor's Office has been contacted by individuals who desire to donate to the Town, and

Whereas, Hasler- Kamp American Legion Post have offered to paint the interior office and meeting room within the space assigned to the Post by the Town and an anonymous resident has donated window treatments to various offices at Town Hall along with woodwork in the Planning Office, now therefore, be it

Resolved, that the Town Board hereby authorizes the Supervisor to accept the donations that will benefit the residents of the Town, and, be it, further

Resolved, that the Supervisor's Office will send a letter thanking both the American Legion Post and the resident for their generous donations to the Town.

Resolution 2013062
Dutcher Golf Course

Whereas, the Pawling High School and Trinity – Pawling School have requested the use of the Dutcher Golf Course for the season of 2013 for the purpose of holding golf meets, and

Whereas, the Town of Pawling has donated the green fees to the school(s) in previous years for such purpose, now, therefore, be it

Resolved, that the Town Board hereby authorizes the use of the Dutcher Golf Course to the golf teams of Pawling High School and Trinity – Pawling School for the 2013 season, and be it further,

Resolved, that the scheduling of matches at the Dutcher Golf Course shall be coordinated through the liaison of the Town Board and the Club House Contractor for the season of 2013 and each organization shall comply with the rules and regulations of the Town of Pawling and that of golf etiquette.

Resolution 2013063
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, and

Whereas, due to a clerical error, Mr. Everett White was omitted from Resolution 2013034, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby grants the Insurance Buyout to the following employee(s) in accordance to Town Law:

Everett White (Buildings & Grounds)

Resolution 2013064
Appointment of Laborer – Part Time

Whereas, the Town of Pawling is committed to maintenance and improvements to its Physical Plant, and

Whereas, the Town of Pawling desires to employ individuals to be involved in the day to day labor to complete such tasks, and

Whereas, the Building and Grounds Department has employed Elliott Ludington, now, therefore, be it

Resolved, that the Town Board hereby appoints Elliott Ludington to the position of Part Time Laborer for a period of 4/1/13 to 9/30/13.

Resolution 2013067
Equipment Purchase – Buildings & Grounds

Whereas, the Buildings & Grounds Department has researched the potential purchase of Lawn Mowing equipment to benefit the daily activities of the department, and,

Whereas, the Equipment requested is part of the Office of Governmental Services (OGS); Contract number PC64365, Group Number 37000 (mowing) and award number 21459-1, and

Whereas, the request made is for the purchase of (1) 2012 LZ940KC606, Exmark Lazer X Series 60” Ultra Cut Series 6 Deck AND (1) 2012 LZ940KC726 Exmark Lazer X Series 72” Ultra Cut Series Deck, and

Whereas, the above mowers are available for purchase and delivery within the month of March and it is estimated to cost an additional \$400.00 for both units to be delivered to the Town, now, therefore, be it

Resolved, that the Town Board hereby authorizes the purchase of (1) 2012 LZ940KC606, Exmark Lazer X Series and 1) 2012 LZ940KC726 Exmark Lazer X Series and authorizes the Supervisor to execute any and all purchasing agreements necessary for said purchases.

MOTION: Councilman Johnson

SECOND: Councilman Upham

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Montemarano – “AYE”

Councilman DeRosa – “AYE”

Supervisor Kelly – “AYE”

NON-CONSENT AGENDA RESOLUTIONS

Resolution 2013065
Building Permit Fee - Request

Whereas, the Town Board received a request to apply previously paid fees on a Building Permit in a letter dated February 26, 2013, and

Whereas, the resident has expressed their concerns to both the Code Enforcement Officer and the Town Board by requesting to apply prior fees paid from a building that burned down (building was in construction) to a new project, as the new structure was moved from its original footprint, and

Whereas, the Town Board shall receive written comments from the Code Enforcement Officer on said property, now, therefore, be it

Resolved, that the Town Board hereby authorizes / denies the request for a waiver on the renewal of fees on a Building Permit as requested.

MOTION: Councilman Johnson

SECOND: Councilman Upham

Supervisor Kelly said Town Code Enforcement Officer Tom Corrao submitted a letter to the Board saying that the Town of Pawling fee schedule does not allow for any fees to be returned or credited toward other services and his recommendation was that the request be denied.

AMENDMENT:

Supervisor Kelly moved to amend the resolution, in the resolved, that the Town Board hereby denies the request, seconded by Councilman Johnson, motion passed unanimously.

ROLL CALL VOTE ON THE RESOLUTION:

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Montemarano – “AYE”

Councilman DeRosa – “AYE”

Supervisor Kelly – “AYE”

**Resolution 2013068
Waiver – Facility Use Requests**

Whereas, the Town of Pawling operates facilities that from time to time will be used by the public for events other than the Towns own usage, and

Whereas, the Director of Recreation will receive requests to waive the fees, and

Whereas, the waiver of fees is a duty of the Town Board, now, therefore, be it

Resolved, that the following waiver(s) have been recommended by the Recreation Director:

- 1) Pawling Little League; March 15 to June 30
- 2) Central Baptist Church
- 3) Pawling Interact Club / Pawling Rotary Club
- 4) Pawling Soccer Club; Apr. 7 to June 16, 2013
- 5) Pawling Fishing Derby
- 6) Pawling Soccer Club Camp; Aug. 5 – 9, 2013 CHARGE FEE of \$250.00
- 7) Tour de Dutchess Bike Race
- 8) ** Assemblyman Lalor – Location: Town Hall

MOTION: Supervisor Kelly

SECOND: Councilman Johnson

ROLL CALL VOTE ON THE RESOLUTION:

Councilman Johnson – “AYE”

Councilman Upham – “AYE”

Councilman Montemarano – “AYE”

Councilman DeRosa – “AYE”

Supervisor Kelly – “AYE”

FURTHER BUSINESS

INTERACT CLUB MEMORIAL EVENT

Councilman Johnson said the Interact Club, the group that works hand in hand with Rotary and gets local kids involved in the community, government and understanding the ideals of Rotary, had a new member meeting. They usually wait until later in the year to have this meeting but they had such interest, they had it early. The meeting was attended by 53 kids, 17 were new members. This is a great program and he spoke to Robyn Wooley, Assistant Recreation Director and asked her to survey the kids and see if the Town Board needs to help those kids to find money to keep those kids involved in programs. He received a letter from the Interact Club, saying they would like to hold a memorial event for the families of Sandy Hook Elementary School on Sunday, June 9 at the Pawling Fire House. There will be a 26 mile relay overlapping with a 2.6 mile remembrance walk. The Interact Club asked for the Town's support with this event.

The motion for the Town Board to support the Interact Club in this remembrance event in any way possible was made by Councilman Johnson, seconded by Supervisor Kelly, motion passed unanimously.

2013 COMMUNITY DEVELOPMENT BLOCK GRANT

Councilman Montemarano said the Town received a grant for handicapped accessible improvements at the Holmes Whaley Lake Civic Association building. Part of the requirements are to send letters out to at least three professional service sources for Statements of Qualifications and prepare bid documents relating to the project. Letters were sent out to four people and responses were received from three. Mr. Kalin did not reply and Insite Engineering does not handle this kind of engineering work. Zarecki & Associates dropped off their sealed envelope, as required in the solicitation. Morris & Associates sent an email with Statements of Qualifications and followed up with a letter that came in the mail today shortly after the cut off time. In the sense that the Town is in the middle of considerable renovations at the HWLCA building, it would probably be wise to move ahead as quickly as possible to incorporate this improvement and get the work wrapped up. The Board is at the point where they have to select a professional service source. He referred to the Federal requirements the Town is bound by and said the County would come in and do an audit on this project, saying the Town's options were to place a bid advertisement in the local paper or send letters to at least three sources requesting Statements of Qualifications. The Statements of Qualifications are required to be due on a specific date and time and are to be submitted in a sealed envelope with the opening date and time to be specified in the bid advertisement. The award is to be made to the responsible firm whose proposal is the most advantageous. Once the award has been given, a written contract must be secured between the municipality and the professional firm. He felt it would seem to be the most advantageous to stick with the engineering firm who has been involved in the renovations as well as the firm who prepared the application for the Town and that helped the Town get the award. It would be his recommendation to use Zarecki & Associates for this.

The motion to continue to use Zarecki & Associates was made by Councilman Montemarano, seconded by Councilman Johnson.

Supervisor Kelly said he agreed with Councilman Montemarano but if the Board went by this being a bid spec they put out, one company did not make the time frame but did supply a five page document on their qualifications where smaller qualifications were submitted by one other member. He hoped that people who do respond back would send back a little more than one page of qualifications. Councilman Montemarano is correct, this person made the cut off time and knows the project intimately.

Councilman Montemarano said his sense was that economically and in keeping things moving along quickly, continuing with Zarecki & Associates would probably be the best solution.

Supervisor Kelly agreed.

Councilman DeRosa felt that because Zarecki was involved in the project from the beginning, it would save the Town money in the long run.

The motion passed unanimously.

Councilman DeRosa said he received a letter from Ed Munning, President of the Holmes Whaley Lake Civic Association saying the HWLCA would like to have the seven windows on the second floor of the building replaced by the contractor who is currently doing the work on the building and the HWLCA would pay for the windows and installation.

The motion to accept the donation from the Holmes Whaley Lake Civic Association in the amount of \$5,800.00 to remove seven (7) existing windows on the second floor and replace them with Anderson windows and to provide all necessary insurance requirements was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly said Village Trustee Brian Griffin has been working with the Poughkeepsie Dutchess County Transportation Council and the County Executive's Office to provide bike racks, benches and some bus seating areas throughout the Village and he would like to bring a couple into the Town. He has asked that the Town Board go on line and fill out the survey relating to this project.

PUBLIC COMMENT

John Daley, Highway Superintendent said the new backhoe is on its way and should arrive Monday. He asked for the Board's signatures on the voucher so the bill can be paid for the backhoe.

Supervisor Kelly said the Board would authorize payment of that since the Board has already paid the bills.

Mr. Daley said regarding the escrow payment to the railroad for the Old Pawling Road Bridge, he received a check back for the full amount, \$13,000.00 plus interest. Total cost of the bridge was \$84,549.22.

The motion to make payment to JESCO Incorporated for the purchase of a 2013 John Deere 310 SK backhoe in the amount of \$77,257.00 to be drafted out of the Highway "B" account was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

Wendel Weber, Supervisor of Buildings & Grounds asked if the Board had reviewed the Lawn RFP and if they were ready for him to send it out and get that process moving.

The motion to approve the RFP for mowing, including the language that Councilman DeRosa had added to pick up papers and debris as necessary was made by Councilman Johnson, seconded by Supervisor Kelly, motion passed unanimously.

Vinny DiMarco said during the last storm a week ago, the Highway Department once again did a beautiful job on the roads. In addition to that, Foreman Jay Dickenson was kind enough to help his wife when she skidded off the road. He thanked Mr. Dickenson for his help. He said this was a great meeting and the Board is doing a great job.

Mike Kelly, Chief Constable asked if the constables should continue checking stickers at the Transfer Station.

It was the consensus of the Board that the constables should continue checking stickers randomly at the Transfer Station.

Mr. Kelly said he would like to begin having constables at Lakeside Park in the beginning of April.

The Board agreed.

Peter Cris, President of the Pawling Chamber of Commerce wanted to remind everyone that next week there will be a Chamber of Commerce meeting with guest speakers Ron Hicks from the County Executive's Office and Mary Kay Vrba, Executive Director of Dutchess County Tourism. The theme is economic development. The meeting will be on Tuesday, March 19th at 6:00 PM at Town Hall.

The motion to adjourn was made by Supervisor Kelly at 7:40 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk