

Deputy Supervisor/Councilman William Johnson opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM May 8, 2013 in the absence of Supervisor David P. Kelly, at the Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Montemarano, Upham, DeRosa and approximately 15 interested citizens.

Councilman Johnson asked everyone to keep Patricia Hartling, Supervisor Kelly's mother in law in mind, she was in a very bad accident today.

PRESENTATION: EMILY HICKS-GIRL SCOUT SILVER PROJECT

The Board entertained a presentation by Emily Hicks on her Girl Scout Silver Award Project. Ms. Hicks explained that her Girl Scout Silver Award project would be to construct bird/butterfly garden at Lakeside Park. The project would consist of bird houses and nesting houses which would attract different species of birds, hummingbirds and butterflies. She would be attracting three or four different species and she would supply food for the birds for all seasons. The garden will be located in the old horseracing field near the lake. The National Wildlife Federation will come to the park, and once all of the criteria are met, they will put up a plaque and certified as a national wildlife habitat. She needs to be finished with this project by September.

Councilman Johnson asked that over the course of the summer, Ms. Hicks come to some Town Board meetings and update the Board as to her progress.

Ms. Hicks agreed.

The motion to allow Emily Hicks to work on her Girl Scout Silver Award Project, a bird sanctuary area on Town property at Lakeside Park was made by Councilman Johnson, seconded by Councilman Upham, motion passed unanimously.

PRESENTATION OF ANNUAL MS4 REPORT

The Board entertained a presentation by JoAnne Daley, MS4 Coordinator, of the MS4 Annual Report. Ms. Daley explained that the Annual MS4 report is ready to go to NYS DEC. She thanked the Building Department, Highway Department and Buildings & Grounds Department for all of their work on this throughout the year. There were heightened criteria this year and the Town of Pawling has met all of those criteria. For the next two years, the Town just has to continue the program and make sure the criteria are met.

Councilman Johnson thanked Ms. Daley for her work on the Annual Report.

MINUTES

The motion to approve the minutes of April 3, 2013 and April 10, 2013 was made by Councilman Johnson, seconded by Councilman Upham, motion passed unanimously.

PUBLIC COMMENT ON AGENDA ITEMS

Councilman Johnson opened the meeting for public comment on agenda items and there were none.

CONSENT AGENDA RESOLUTIONS

**Resolution 2013082
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 20130399 through 20130528, 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 \$353,490.78.

**Resolution 2013083
Authorizing Billing for Pawling Water District #1**

Whereas, Pawling Water District #1 bills need to be approved by the Pawling Town Board, and

Whereas, the bills have been prepared and submitted in the amount of \$2,278.80 for the period of February 1, 2013 through April 30, 2013 by the Water District Clerk, now therefore, be it

Resolved, that the Pawling Town Board hereby accepts the billing as recommended for Pawling Water District #1.

MOTION: Councilman Upham

SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Upham – “AYE”

Councilman Johnson – “AYE”

Councilman Montemarano - “AYE”

Councilman DeRosa – “AYE”

Supervisor Kelly – “ABSENT”

NON-CONSENT AGENDA

Councilman Johnson felt Resolution 2013084 regarding facilities use requests could be pulled from the agenda.

**Resolution 2013085
Insurance; Town of Pawling**

Whereas, the Town of Pawling Insurance policies will expire on June 4, 2013, and

Whereas, the Town has been active in requesting quotes through our agent to meet the needs of protecting the Town in the event of a loss or claim, to provide limits that are acceptable by market standards and a value for the product provided to the Town, now, therefore, be it

Resolved, the Town Board hereby authorizes the Supervisor to sign the agreement with _____ Insurance Company in the amount of \$____ and retain Emery & Webb Insurance to act as our agent in all insurance matters of the Town of Pawling.

Councilman Upham said regarding resolution 2013085, the Town is getting ready to renew the annual insurance coverage. The only change from last year is to add a Camp Accident and Sickness policy in the amount of \$1,400.00, which will cover all of the children at Lakeside Park through the summer.

The motion to add the Camp Accident and Sickness policy to the renewal was made by Councilman Upham, seconded by Councilman Montemarano and passed with the following roll call vote:

Councilman Upham – “AYE”

Councilman Johnson – “ABSTAINED”

Councilman Montemarano - "AYE"

Councilman DeRosa - "AYE"

Supervisor Kelly - "ABSENT"

HOMELAND CELL TOWER UPDATE

Liz Axelson, Town consultant from Morris Associates was present to give the Board an update on the Homeland Cell Tower application, which is currently before the Town Planning Board. Ms. Axelson said the Planning Board is proceeding with the cell tower application for Homeland Towers/AT&T. The Planning Board has scheduled a balloon test, which is a visual demonstration, which is scheduled for June 1st with a rain date of June 8th. The Planning Board has not yet set a public hearing date. The Planning Board has declared themselves as Lead Agency in order to initiate the SEQRA process. There is more information that is needed from the applicant. The Planning Board requested a crane test be done by the applicant, but the applicant is not able to do it on the actual site where the tower is proposed. So they would need to put the crane on Cunningham Lane, which is a Town road, which would require permission from the Town Board. The Planning Board has submitted a letter to the Town Board asking if it would be possible for the Town Board to grant permission for this. This permission would be for one day and for several hours.

Councilman Johnson made a motion to grant permission for the use of the Cunningham Lane cul-de-sac for the requested crane test to be conducted by the applicant's representatives under the following conditions:

A letter to be provided five (5) days before hand notifying the Town Board and Highway Department of the date and hours of the crane test, listing the applicant's representatives and any sub-contractor responsible for the crane test operations and assuring that the crane operator be present at all times during the day of the test in the event the crane would have to be moved for emergency access. If more than one day of testing is needed, this should be explained in a letter.

Provide a copy of insurance related to the operation of the crane to the Town Board and Highway Department.

Adequate preparations should be made so as not to damage any Town roads or properties.

The motion was seconded by Councilman DeRosa and the motion passed unanimously.

Ms. Axelson said the other issue is that alternate sites are still being studied for the cell tower site, some of which are Town owned properties. She asked the Board to indicate whether or not the Town would be interested in placing the tower on Town owned properties if possible, and with recommendations from the Planning Board.

Councilman Johnson made a motion that the Town Board hereby advises the Planning Board that any Town owned properties, whether singularly or multiply being considered for a cell tower site, as it would not only provide the cell service necessary but also provide a revenue source to help offset taxes in the community, seconded by Councilman Upham, motion passed unanimously.

CASTAGNA

Liz Axelson, Town consultant from Morris Associates gave the Board an update on the Castagna application. She said she has been working with Castagna representatives on their response to her comments and she hoped that within the next month they would be making an official submission. Once the submittal is received, the Town Board and Planning Board will need to review it and it may require a meeting of both Boards to review it.

under 150 tons of material. It was all picked up on Monday with a little left on Tuesday and it has all been disposed of. It was a big effort to get that done in a short amount of time.

Dr. Tom Bloom advised the Board that he has had some familiarity with insurance policies as a dentist, and he felt it would behoove the Board to examine the Town's policies as they are adding an addendum to the policy. His concern was the liability limits as it seems that insurance companies reduce the liability limits rather than increase them.

The motion to adjourn was made by Councilman Johnson at 7:35 PM, seconded by Councilman Montemarano, motion passed unanimously.

Town Clerk