

Supervisor David P. Kelly opened the Workshop Meeting of the Town Board of the Town of Pawling at 7:00 PM June 5, 2013 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Montemarano, DeRosa, Johnson, Upham, and approximately 16 interested citizens.

### **PUBLIC HEARING/OUTDOOR WOOD BURNING FURNACE PROPOSED LOCAL LAW**

Supervisor Kelly opened the public hearing on the Outdoor Wood Burning Furnace proposed Local Law.

There were no comments from the audience.

Supervisor Kelly closed the public hearing.

### **PRESENTATION/BIKE RACKS & LOOP BUS STOPS**

The Board entertained a presentation by Village Trustee Brian Griffin and Town resident Betsy Brockway.

Mr. Griffin updated the Board on the “Bike Racks & Loop Bus Stop Program”, saying there were some requirements that needed to be addressed. The installation of the bike racks is one issue as there will be a cost associated with that, which will range from \$50.00 to \$150.00 and would require Board action. Maintenance and insurance are also issues that will have to be addressed, as well as the type of bike racks and the locations of the loop bus stops.

Mrs. Brockway brought the Board up to date on the status of the “Family Bike and Hike Day”, saying she did not think it would be possible this year but she would like the Board to consider granting permission for this event sometime next spring.

The Board thanked Mr. Griffin and Mrs. Brockway for their work on these projects and for their presentation.

### **PRESENTATION/REBUILDING TOGETHER**

The Board entertained a presentation by Mrs. Christina Boryk, Executive Director of Dutchess County Rebuilding Together. Mrs. Boryk explained the Mission Statement of Rebuilding Together, which is to preserve and revitalize houses and communities in Dutchess County assuring that qualified low income homeowners live in a warm, safe, dry and independent environment. She explained the requirements and application process, as their application process for 2014 is open until the end of September. She explained that they accomplish large projects as well as small projects, and also energy efficiency/safety upgrades. They have done approximately 14 projects in Pawling and would like to do more projects here. She said they have been in Dutchess County for 20 years. They use volunteers to do their work, some tradesman, and they have over 10,000 volunteers and have done over four million dollars of repairs. She would like to appeal to the Board to spread the word to their constituents about the services they provide. She explained the general criteria for services and encouraged the Board to spread the word about the program.

Supervisor Kelly thanked Mrs. Boryk for her presentation.

### **RESOLUTIONS/MOTIONS**

The Board discussed the proposed resolutions. Following discussion, it was agreed that resolutions 2013086, 2013087, 2013088, 2013089, 2013091, 2013092, 2013093 and 2013094 would be placed on the June 12, 2013 Town Board meeting agenda.

The Board decided to move forward with Resolution 2013090 as follows:

**Resolution 2013090**  
**Insurance- Town of Pawling**

Whereas the Town of Pawling has renewed the Town's insurance policy to cover the period through June of 2014, and

Whereas, it has been recommended by our insurance agent that the Town consider the purchase of "Crime" coverage in addition to the renewal policies purchased, and

Whereas, the "Crime" coverage is protection from Forgery, Computer Fraud and Public Employee Dishonesty, now, therefore, be it

Resolved, that the Town Board hereby agrees to purchase the additional coverage for a term of one year at a cost of \$141.00, and be it further

Resolved that the additional policy rider will become effective 06/04/2013.

MOTION: Supervisor Kelly  
SECOND: Councilman Upham

ROLL CALL VOTE:

Councilman Upham – "AYE"                      Councilman Johnson – "ABSTAINED"  
Councilman Montemarano – "AYE"              Councilman DeRosa – "AYE"  
Supervisor Kelly – "AYE"

**OUTDOOR WOOD BURNING FURNACE PROPOSED LOCAL LAW ADOPTION**

Councilman DeRosa said the public hearing was held this evening on the Outdoor Wood Burning Furnace proposed Local Law. He asked if it was ready for adoption.

Supervisor Kelly said it could be adopted next week and he would work with Councilman DeRosa to formulate a resolution for adoption at next week's meeting.

**OTHER BUSINESS**

Supervisor Kelly said the Pawling Chamber Guidebook is going to be redone for 2014 & 2015 and they have asked if the Town would like to advertise in the guidebook. He said he would circulate the price list to the Board and they can decide on this next week. The Town does have an ad in the current guidebook.

Supervisor Kelly said the Dutchess County Sheriff's Office would like to reserve the rear houses at Lakeside Park for two day survival training for July 19<sup>th</sup> and 20<sup>th</sup>. He asked Melissa Smith, Recreation Director if this would interfere with summer camp.

Mrs. Smith said she did not see a problem with this at all.

Supervisor Kelly said he would have the Dutchess County Sheriff's office contact Mrs. Smith to file the proper paperwork for use of the facility.

**PART TIME MAINTENANCE LABORER**

Councilman Johnson said he met with Gary Lattrell and Wendel Weber, Supervisor of Buildings and Grounds regarding inadequate lawn maintenance and cleanup. He felt there was a need for another part time laborer for weed whacking.

Councilman Johnson made a motion to authorize Wendel Weber, Supervisor of Buildings & Grounds, to hire a part time, seasonal laborer not to exceed 480 hours for the remainder of the season, seconded by Supervisor Kelly, motion passed unanimously.

## **RESURFACING OF ROLLER HOCKEY RINK**

Councilman Johnson said regarding Pawling/Beekman Roller Hockey, the rink is in need of resurfacing and the association would like to get that done and pay for it.

Councilman Johnson made the motion to accept the donation of upgrades as needed to the roller rink on Dodge Road from the Pawling/Beekman Roller Hockey Association, seconded by Councilman Montemarano, motion passed unanimously.

## **MURROW PARK CHALET REPAIRS**

Councilman Montemarano said Wendel Weber, Supervisor of Buildings & Grounds has given an estimate of the cost to upgrade the chalet at Murrow Park in order to put a caretaker in the building. It will cost approximately \$2,800.00 for electric and appliances. It is a critical matter to have a caretaker at Murrow Park, both for security and maintenance.

Councilman Montemarano made a motion to have the Buildings & Grounds Supervisor proceed with the electric and appliance improvements at the chalet per his estimate of \$2,775.00, seconded by Councilman Johnson, motion passed unanimously.

Councilman Montemarano said he received an email from a resident speaking well of the Lakeside Park beach front and also making some suggestions. She requested the sand be replenished and for some kind of shade tent in the sand area. She also asked for a showerhead as you leave the waterfront.

Following discussion, it was agreed that Councilman Montemarano would put together prices for the suggested items and bring them to the Board at the next meeting.

## **BOARD MEMBER REPORTS**

Supervisor Kelly thanked everyone for their patience last month while he was gone. He thanked everyone for their support while his aunt passed away and during the time of his mother in law's car accident.

### **KELLY**

Supervisor Kelly said regarding the East of Hudson funding for Overlook Drive, the East of Hudson Executive Board has decided to allow the funding of projects being done by local highway departments. So the Overlook Drive project will be paid for by East of Hudson and town monies can be used for other projects. He has attended several Chamber of Commerce meetings and he announced that the car show is this weekend. Supervisor Kelly said the Senior Friendship Center re-opened in Pawling on May 9<sup>th</sup> and a mailing will be done in conjunction with Sen. Greg Ball and County Executive Molinaro to alert all seniors that the center has been reopened. Supervisor Kelly said the Dover Pawling Appalachian Trail Community Designation Ceremony is on June 15<sup>th</sup>, ceremony at 4 PM and all are invited. Supervisor Kelly said the Triathlon was held last week and nearly all 700 participants showed up. It was a great event. Supervisor Kelly said there will be a Whaley Lake Dam Committee meeting on June 8. He announced that the Pawling Green Dedication is on June 15<sup>th</sup> at 10:00 am. Regarding Dutchess County shared services, a representative from Dutchess County Planning will be here at Town Hall tomorrow to discuss the grants. Supervisor Kelly gave an update on the Sewer Commission and issues on the sewer lines, such as a tree growing on a line, lines clogged with grease and water infiltration in certain areas. There continues to be maintenance done and continued maintenance will need to be completed on an annual basis once the lines are cleared. He commended the Commission for being proactive on these issues. Supervisor Kelly updated the Board on sales tax distribution. The Town lost some sales tax monies last year, though it will increase a small amount this year. But going forward, any growth over 2.2%, the County will take 82% and will share the remainder of the 18% with the municipalities by population. There will be a tax cap and the Towns have no say in this and they are the ones losing out. He will be talking to legislators and other towns

to see what, if anything can be done. The overall agreement is not the best one for the towns.

### **JOHNSON**

Councilman Johnson said the Annual Drinking Water Quality Reports are in for both Pawling Water Districts 1 & 2 and there are no violations and everything is within allowable limits. A major overhaul should be starting soon on Pawling Water District #2, pending the finalization of funding. These improvements should improve water quality and increase supply and demand. Councilman Johnson said regarding the Triathlon, he complimented the Recreation Department, Constables and volunteers, this is a major event and is one of the most sought after Triathlon's in New York State. Councilman Johnson asked everyone to join him at the Interact Event "Walking in Their Honor" this Sunday, proceeds are to benefit victims of the Sandy Hook Elementary School. He gave special thanks to Melissa Smith, Recreation Director and Robyn Woolley, Assistant Recreation Director.

### **DEROSA**

Councilman DeRosa agreed with Councilman Johnson's comments on the Triathlon, it was a great event, everyone did a great job. It was a wonderful day. Councilman DeRosa said the Whaley Lake Dam informational meeting will be this Saturday and this is to give the residents an update on what's going on with the dam district. Regarding the Implementation Committee, he was glad to see the Outdoor Wood Burning Furnace local law moving forward. The Committee is working on historic preservation and Councilman DeRosa is trying to schedule Julian Adams/Community Liaison with the State Historic Preservation Office to come and speak with the Board in August. Councilman DeRosa said he would like to move forward with the Wind Energy local law and hoped the Board would review that so he could move it forward to the Town Attorney for review. The Implementation Committee will also be working on gas stations and convenience stores and scenic issues. Councilman DeRosa said he has been working with Councilman Montemarano on the plan for Murrow Park and there is a lot of interest out there in this park.

### **MONTEMARANO**

Councilman Montemarano said the Lyons Club President called right after Memorial Day to say there was a major water leak in the kitchen. Following investigation, it appears that vandals were stealing copper roof flashing off the chimney and that has since been repaired. Councilman Montemarano said the Board talked about moving ahead with resurfacing the basketball courts at Lakeside Park. He has gotten some rough numbers together for the Board. The removal and resurfacing and back boards estimate is approximately \$50,000.00. The line striping estimate is approximately \$16,000.00 to \$17,000.00. He does not have an estimate on lighting yet.

Following discussion, it was agreed that Councilman Montemarano would continue to work on a proposal for the basketball courts and the Board would also consider whether or not they wanted the courts lighted. Councilman Montemarano said regarding his report on Murrow Park, he would like the Board to review the report and give comments so he can move forward with implementing a plan for that park. His plan is to use community volunteers and spend as little money as possible but to clean up the park and get it looking sharp again.

Supervisor Kelly suggested each Board member make a priority list from the report and send it to Councilman Montemarano. He would put this item on next week's agenda.

Councilman Montemarano said if the Board is inclined, he would like to begin circulating letters and volunteer organization forms to Little League, Girl Scouts, Boy Scouts and Pawling Fish & Game.

The Board agreed.

## UPHAM

Councilman Upham thanked Anne Deierlein for the reopening of the Senior Center because she is really a community leader on that, working with the Greg Ball and John Thomes. Councilman Upham said the next Implementation Committee is tomorrow at 5:30 and they are always looking for help. Things are moving well so far and he is happy with that.

## PUBLIC COMMENT

Vinny DiMarco, resident of 1136 Route 292, Holmes, complimented the people who gave the presentations tonight. He offered his help with anything needed. He felt honored to be considered for the Town Constable position. He thanked the Board for doing a great job and they should keep up the good work. He gave a special thanks to the people who made possible the mailing for the June 8<sup>th</sup> Whaley Lake Dam meeting.

Larry Oates said he has owned his property on Route 292 in Holmes since 1983. The property was subdivided into three lots, a process that took about 6 years and a lot of money to finalize, following all rules and laws. He owns lot 1, his ex-wife owns lot 3 and he sold lot 2 to Mr. Joseph Schoicket. Shortly after Mr. Schoicket purchased the property, he initiated the clearing of a large amount of trees, disregarding property lines of neighbors. Mr. Schoicket also built a road along the eastern edge of Mr. Oates' property, which encroaches on his property. He expressed concern that Mr. Schoicket's actions have put his septic system approvals in jeopardy due to the runoff from the road he created. He did contact Town Officials and really got no results and Mr. Schoicket continues to do what he is doing. Mr. Schoicket has a Stop Work Order but he continues to work even today. He has no regard for laws or people's property. He asked the Board to help him and see what could be done. He is only asking for the construction to be done correctly. Mr. Oates said since he has submitted these complaints, he is now getting letters from the Town telling him that a camper on his property needs to be removed. The trailer has been there for many years and was never a problem before. He submitted photos to the Board. He is asking the Town Board to intervene in this matter.

Supervisor Kelly said he would speak to the Board about this. He has asked the Code Enforcement Officer to give him a log of what has been done to date, which he will share with the Board. Mr. Schoicket signed a letter two weeks ago acknowledging that he has a Stop Work Order so he knows he is not to be doing work on the property but he continues to work on the site. He did not know what the next steps were but he would get together with the Code Enforcement Officer and Town Attorney and see how to move forward on this.

Councilman DeRosa said he and Mr. Oates are very close friends and have been for many years. He has been involved in this for a while and things haven't gone the way he felt they should have so he reached out to Supervisor Kelly, who then got involved. Councilman DeRosa said because of his friendship with Mr. Oates, Supervisor Kelly became involved in this and will see how to move this forward.

Larry Lawlor, property owner from Route 292 in Holmes, said his property borders Larry Oates and Mr. Schoicket. He agreed with everything Mr. Oates said regarding what Mr. Schoicket is doing, saying Mr. Schoicket is working on the property from 7 in the morning until 8 at night, seven days a week. He contacted the Building Inspector a year and a half ago and he said he did not find a conservation problem. Mr. Lawlor said Mr. Schoicket does not care about anything and this is a quality of life issue for him. He was also concerned about his property value. He did not know what to do about this situation.

Supervisor Kelly said Mr. Lawlor is here now and the Board is listening to his comments and will deliberate on what can be done.

Nancy Lawlor, wife of Larry Lawlor, said on one occasion, she and her neighbor heard blasting coming from the Schoicket property. Their houses shook and it was clearly blasting. When she called the Code Enforcement Officer, he said it was not blasting she heard but the tractor trailer opening and closing. She said Mr. Schoicket works all day long and it is very noisy and has become a quality of life issue. She asked the Board to help with this problem.

Supervisor Kelly suggested the Board have Walter Artus, environmentalist in stormwater management, do a site inspection and evaluation and report back to the Board on this matter.

The Board agreed.

There were no further comments from the audience.

### **EXECUTIVE SESSION**

The motion to enter Executive Session was made by Supervisor Kelly to discuss personnel matters at 8:55 PM, seconded by Councilman Johnson, motion passed unanimously.

The motion to return to the regular order of business was made by Supervisor Kelly at 9:28 PM, seconded by Councilman Johnson, motion passed unanimously.

The motion to adjourn the meeting was made by Supervisor Kelly at 9:30 PM, seconded by Councilman Johnson, motion passed unanimously.

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Town Clerk