

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM July 10, 2013 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Montemarano, Upham, DeRosa and approximately 8 interested citizens.

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 June 5, 2013 and June 12, 2013 was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

RESOLUTIONS

**Resolution 2013096
Payment of Bills for the Town of Pawling**

Whereas, The Town of Pawling Bookkeeper has reviewed and prepared the vouchers for the payment of bills 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 20130688 through 20130850, 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 \$300,901.79.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

**Resolution 2013097
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 Town’s own usage, and

Whereas, the Director of Recreation will periodically receive a request 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) D.C. Board of Elections, Tuesday July 16, 2013 (Town Hall Meeting Room)
- 2) Interact Club; Saturday July 27, 2013 (Lakeside Park Pavilion)
- 3) Ryan’s Foundation; Saturday August 10, 2013 [Rain Date: 8/11/13]
(Lakeside Park Pavilion)
- 4) Shorehaven Civic Association; Saturday August 17, 2013 (HWLCA)
- 5) Pawling / Patterson Little League: July 18 & 24, 2013 (Dodge Road Field)

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Councilman Johnson said regarding the Pawling/Patterson Little League request, since this is a travel team with a mix of Pawling/Patterson players with Patterson’s insurance submitted, he felt comfortable approving it. He would make sure there was no conflict with other teams on this field.

Supervisor Kelly said he would vote in favor of this at this time but expressed concern about giving the park away and not charging enough fees.

ROLL CALL VOTE:

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

**Resolution 2013098
 Authorizing Billing for Pawling Water District #2**

Whereas, Pawling Water District #2 bills need to be approved by the Pawling Town Board, and

Whereas, the bills have been prepared and submitted in the amount of \$ 14,019.00 for the period of April 1, 2013 through June 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 #2.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

**Resolution 2013099
 Authorizing Preparation of and Solicitation of and Request For Proposal for the
 Town of Pawling Water District No. 2 Well Rehabilitation Project**

Whereas, the Town Board of the Town of Pawling on behalf of the Town of Pawling Water District No. 2 is considering a project for the rehabilitation of two wells which

serve Water District No. 2 in accordance with the requirements of the Dutchess County Department of Health; and

Whereas, the Town Engineer, Morris Associates, P.L.L.C. is preparing a request for proposals for a contractor to perform well rehabilitation services to attempt to increase well productivity; now, therefore be it

Resolved, that the Town Engineer is hereby authorized and directed to finalize a request for proposal for the well rehabilitation services for the Town of Pawling Water District No. 2; and be it further

Resolved, that upon completion of the specifications for the request for proposal the Town Clerk is hereby directed and authorized to advertise and solicit proposals for the aforesaid rehabilitation project.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Supervisor Kelly said he has been working with Councilman Johnson on this project. This resolution allows the rehabilitation of Pawling Water District #2 to move forward, which is basically rehabilitation of the wells. This project will attempt to get the maximum yield out of the wells, which would be done by fracking both of the wells and the estimate came through above the \$20,000.00 public works threshold and it needs to be put out for a Request for Proposal (RFP). This resolution allows for an RFP for this project, which Morris Associates, town engineers, are working on. There may have to be a special meeting in order to set a public hearing date.

Councilman Johnson said this is a far more extensive procedure in that there will be yield testing before and after and water samplings. One of the wells has good yield but high iron content. Going forward, if enough water can be generated between the two wells, it may prohibit the Town from drilling another well, which would save the residents a lot of money. The next step would be to upgrade to automation of the treatment plant. The Town will have to take a Bond Anticipation Note (BAN) for this project in an effort to avoid major expense to the taxpayer until the outstanding bond is paid, thus resulting in maybe an equal payment with better service and better water.

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman Montemarano – “AYE”

Councilman DeRosa – “AYE”

Councilman Upham – “AYE”

Supervisor Kelly “AYE”

Resolution 2013100

Ethics Board

Whereas, the Town of Pawling Ethics Board is presided over by Christopher B. Meagher, Chairman, and

Whereas, the Town of Pawling Ethics Board addressed Complaint 2011-01 dated November 1, 2011, and

Whereas, Chairman Meagher issued a Letter and Decision to the Pawling Town Board on June 7, 2013, and

Whereas, the Letter and Decision indicated that “*the dismissal of the complaint is appropriate at this time*” and,

Whereas, the Pawling Town Board appreciates the Ethics Board's time and effort in this regard, now, therefore, be it

Resolved, that the Town of Pawling Town Board acknowledges receipt of the June 7, 2013 letter from the Ethics Board and, be it, further

Resolved, the Town will continue to follow the current policies and procedures for hiring new employees and the posting/advertising of available positions.

MOTION: Supervisor Kelly
SECOND: Councilman Upham

ROLL CALL VOTE:

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

OTHER BUSINESS

Supervisor Kelly said regarding Deerfield Ponds road modification request, the Planning Board secretary gave him a letter late this afternoon with a recommendation from the Planning Board but he felt it needed review before it came before the Town Board. He will place this item on the August agenda.

Councilman DeRosa felt this proposal needed further review also.

Councilman DeRosa said he and Councilman Upham interviewed five people for the open Planning Board and Zoning Board positions. He suggested the Board enter into executive session this evening to discuss those interviews.

Councilman DeRosa said he continues to work on the dog park idea and has had a lot of interest and input from volunteers. He hopes to meet with the volunteers next week.

Councilman DeRosa said regarding the Holmes Whaley Lake Civic Association building, he felt a letter should go to HWLCA representatives from the Town Board asking them to take everything out of the lower level in the thrift shop. The contractor who did the work on the building was required to clean the building per contract and can't complete this as long as the thrift shop is full of stuff.

Councilman DeRosa said he spoke to Town Attorney Terry Stewart regarding the Wood Burning Furnace Ordinance. Since the law changed, Mr. Stewart had to check the Town's proposed law against the new information. Mr. Stewart is also reviewing the wind power proposed ordinance. He hoped to have information for the next meeting so the Board can move forward on these items.

Councilman DeRosa said Julian Adams from the State Historic Preservation Organization is coming to the next meeting August 14th to give a presentation to the Board about setting up a historic district. Mr. Adams will come to Pawling early so he can be given a tour of the Town.

Councilman Upham said there were really good candidates for the Planning Board and Zoning Board of Appeals, it is encouraging.

PUBLIC COMMENT

OVERLOOK ROAD RESURFACING RFP

John Daley, Highway Superintendent said regarding the Overlook Road project, he will have to put out to bid the reclamation and surface treatment. He has Zarecki's office working on the bid package now. Due to the limited Town Board meetings, he asked if he could go forward with this project once the engineer is done with the bid package. He would have the Town Attorney look over the bid package as well as Councilman Montemarano.

Supervisor Kelly asked if this could all be done by the August 14th Town Board meeting, as the Town Board must award the bid at an official meeting.

Mr. Daley said he would try to get it accomplished by then and if not, he may have to ask the Board to hold a special meeting.

The motion to allow the authorization of the Request For Proposal (RFP) on road resurfacing for the Overlook Drive project, pending attorney and engineer approval of the document, and any regulatory and noticing requirements, with bids to be returned to the Town Clerk's office August 12, 2013 at 10:00 AM, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly noted for the record that he lives on Overlook Road.

TRAILER FOR HIGHWAY

John Daley, Highway Superintendent said the arm of his 33 year old blacktop roller has broken off. There are no parts available to repair this piece of equipment due to its age. He would like to buy a trailer because that would solve this problem but there would also be a lot of uses for a trailer. The cost of the trailer he wanted to buy was \$5,000.00 and he has the money in his budget. He did consider a larger trailer but the cost of that would be \$20,000.00 and he does not have that money.

Following discussion regarding purchasing a larger trailer verses a smaller trailer, it was agreed that Mr. Daley would purchase the smaller trailer for approximately \$5,000.00 and see if he could locate a larger, used trailer for future purchase.

PUBLIC COMMENT CONTINUED

Vinny DiMarco suggested Mr. Daley check out Davis Auction in Connecticut for equipment purchases. Mr. DiMarco welcomed Supervisor Kelly back from his trip. He stated that on June 25th, a meeting was held at the Holmes Whaley Lake Civic Association with the engineer for the Holmes Dam and an Emergency Access Plan will now be prepared for this dam. He complimented the Board on selecting the candidates for the Planning & Zoning Boards. He felt all of the people chosen were skilled and he wished them good luck.

Peter Cris, President of the Chamber of Commerce, said a balloon launch took place Saturday, July 6, 2013 at Lakeside Park, through cooperation with Dutchess County Tourism and Dutchess County Chamber of Commerce. He thanked the Board for approving the event at the last minute. He said M&T Bank, who sponsored the balloon, didn't notify him until two days before the event. The potential for this event is there to organize something much larger with a variety of activities, such as music, fireworks, and vendors participating and making this a family day. He would like to really plan a larger event for next year.

Supervisor Kelly said the Board could consider budgeting for a larger event in the budget process.

Nancy Lawlor, resident of Route 292 in Holmes, said she would like to address a comment made at the June 12th meeting. She said Mr. Corrao, Building Inspector, stated that there was a lot of false information at the previous meeting she and her husband attended. She would like to know exactly what Mr. Corrao felt was false. Everything they stated at the meeting was absolutely accurate information. They came to the meeting to inform the Board about a situation with their neighbor. This situation has

been going on for a couple of years. Their trees have been cut down and there is a lot of noise very early in the morning and on occasion until 8:00 PM. Her neighbor May Ludington agrees 100% with this complaint and Mrs. Ludington has said Board members could contact her. There was also an issue of blasting at the property. She wanted to know what they needed to do to correct Mr. Corrao's statement that false information was given, possibly statements from neighbors, etc.

Supervisor Kelly said he would get together with Mr. Corrao and discuss this and then get back to Mrs. Lawlor.

OTHER BUSINESS

EXECUTIVE SESSION

The motion to enter into Executive Session to discuss personnel matters was made by Supervisor Kelly at 7:40 PM, seconded by Councilman Upham, motion passed unanimously.

The motion to enter into the regular order of business was made by Supervisor Kelly at 8:25 PM, seconded by Councilman Johnson, motion passed unanimously.

PLANNING BOARD MEMBER APPOINTMENTS

The motion to fill the two positions on the Planning Board replacing Kent Johnson and Russell Gerry was made by Councilman DeRosa, to appoint Jay Erickson and Bill Vollmer to take those positions and fill the terms until 12/31/2015, seconded by Councilman Upham.

Councilman Johnson said the Board had a wonderful group of applicants and going forward, he was sure that other vacancies would be able to be filled with this pool of candidates. He thanked Councilmen DeRosa and Upham for interviewing the individuals.

Councilman DeRosa said it was a good group of applicants.

Councilman Upham said it was a high quality group.

The motion passed unanimously.

The motion to appoint George Brehm as Chairman of the Planning Board was made by Councilman DeRosa, to fill in for Kent Johnson until the end of the year, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly announced that the next meeting would be on August 14, 2013 at 6:30 PM.

The motion to adjourn was made by Supervisor Kelly at 8:30 PM, seconded by Councilman Montemarano, motion passed unanimously.

Town Clerk