

Supervisor David P. Kelly opened a Special Meeting of the Town Board of the Town of Pawling at 9:10 AM July 26, 2013 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Montemarano, Upham and DeRosa. There was no one present in the audience.

PUBLIC COMMENT ON AGENDA ITEMS

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

RESOLUTIONS

**TOWN OF PAWLING
TOWN BOARD RESOLUTION
RESOLUTION NO. 2013101**

**RE: A RESOLUTION SCHEDULING A PUBLIC HEARING PURSUANT TO
TOWN LAW § 202-b FOR IMPROVEMENTS IN THE TOWN OF PAWLING
WATER DISTRICT NO. 2**

WHEREAS, the Town Board of the Town of Pawling, Dutchess County, New York has duly caused to be prepared a map, plan and report, including an estimate of cost relating to the increase and improvement of the Pawling Water District No. 2 within the Town of Pawling, consisting of rehabilitation of existing wells to increase productivity and if necessary drill a new well if there is not a sufficient increase in well yields. In addition, the existing water treatment facility will be upgraded to include new control automation and other incidental improvements and expenses in connection herewith, for compliance with the Dutchess County Department of Health at a maximum estimated cost of TWO HUNDRED AND FIFTY THOUSAND (\$250,000.00) DOLLARS; and

WHEREAS, the Town Board of the Town of Pawling, Dutchess County, New York has duly caused to be prepared a short environmental assessment form to consider the environmental impacts associated with the proposed project; and

WHEREAS, it is now desired to call a Public Hearing on the question of the increase and improvements of the facilities of Water District No. 2 in the manner described above and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of § 202-b of the Town Law; now, therefore be it

ORDERED, by the Town Board of the Town of Pawling, Dutchess County, New York as follows:

Section 1. A Public Hearing will be held at the Town of Pawling, Town Hall located at 160 Charles Colman Boulevard, Pawling, New York 12564 on 14th day of August 2013 at 7:00 PM prevailing time to comment on the question of the increase and improvement of the facilities of the Pawling Water District No. 2 within the Town of Pawling, Dutchess County, New York in the manner described in the preamble hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. At said Public Hearing the environmental significance of the increase in the improvement of the facilities of Water District No. 2 shall also be considered.

Section 3. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the Poughkeepsie Journal, the newspaper officially designated for this purpose and also cause copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than (10) ten or more than (20) twenty days before the date designated for the hearing.

Section 4. The Notice of Public Hearing shall be in substantially the following form:

**TOWN OF PAWLING
TOWN BOARD
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Pawling, Dutchess County, New York will meet at the Town of Pawling, Town Hall located at 160 Charles Colman Boulevard, Pawling, New York 12564 on the 14th day of August, 2013 at 7:00 PM prevailing time, for the purpose of conducting a Public Hearing upon a certain map, plan and report including an estimate of cost in relationship to a proposed increase and improvement of the facilities of Pawling Water District No. 2, within the Town of Pawling, Dutchess County, New York, consisting of rehabilitation of existing wells to increase productivity for compliance with the Dutchess County Department of Health and if necessary drill a new well if there is not a sufficient increase in well yields. In addition, the existing water treatment facility will be upgraded to include new control automation and other incidental improvements and expenses in connection herewith, for compliance with the Dutchess County Department of Health at a maximum estimated cost of TWO HUNDRED AND FIFTY THOUSAND (\$250,000.00) DOLLARS.

The environmental significance of the aforesaid project will also be considered at that time pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act.

At said Public Hearing said Town Board will hear all persons interested in such a matter thereof.

Dated: July 26, 2013
Pawling, New York

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF PAWLING, DUTCHESS
COUNTY, NEW YORK

By: CATHERINE GIORDANO, TOWN CLERK

Section 5. This Order shall take effect immediately.

The question of the adoption of the foregoing was duly put to a vote on a roll which resulted as follows:

MOTIONED BY: Supervisor Kelly

SECONDED BY: Councilman Johnson

DATED: July 26, 2013

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
David P. Kelly, Supervisor	<u> X </u>	_____
Philip DeRosa, Councilman	<u> X </u>	_____
William Johnson, Councilman	<u> X </u>	_____
Paul Upham, Councilman	<u> X </u>	_____
Michael Montemarano, Councilman	<u> X </u>	_____

DISCUSSION ON THE MOTION/RESOLUTION 2013101

Councilman Johnson said the cost breakdown does not include the option of taking out a B.A.N. for the current money owed for two years and paying that back, which in turn inflates the annual cost to the user. He is not looking to alarm people. In other words, they are still including the cost benefit per unit for 2014, which is \$380.00 and adding that to the full cost of carrying the bond right away. He would like to have something attached to the map, plan and report that shows that the Board intends to B.A.N. this money until the exiting debt is paid so that the average homeowner does not incur a \$400.00 increase in the utility cost.

Supervisor Kelly said that could be put in the actual wording of the bond, this resolution is only setting a public hearing date.

Councilman Johnson felt it was very important to get a letter out to the residents telling them that this is what is happening. He doesn't want them to come in here thinking they are going to get a \$400.00 increase per year in their bill.

Supervisor Kelly said it is a \$216.00 increase.

Councilman Johnson asked when a letter should be sent to the residents, should it be following this meeting.

Supervisor Kelly felt it should be done now, before the public hearing.

Councilman Johnson said if the bonding can't be done that way, he won't do it because of what it would do to the residents.

Supervisor Kelly said this now gives them until August 14th to meet Councilman Johnson's requirements and to get a letter out to the residents.

Councilman Johnson said he would draft a letter, circulate it to the Board and then get it out to the residents.

FURTHER BUSINESS TO COME BEFORE THE BOARD

PWD #2

Supervisor Kelly said regarding the bonding for PWD #2, Morris Associates met with the Dutchess County Dept. of Health on Tuesday. Morris Associates representatives were able to get the Health Dept. to allow a 36 hour pump test verses a 72 hour test. They also negotiated the fact that if there is no need to do further automation to the system, they may just be able to tweak the existing equipment and the Town will not have to expend the money to do the automation of the system. The good thing about holding off and doing the B.A.N. for two years, hopefully the Town can borrow less money. Also, if the wells meet the quantity amount once the fracking is done, a new well will not have to be drilled, which would further reduce the amount of money to be borrowed. The information in the map, plan and report is the worst case scenario for the residents.

Following discussion on the fracking of the wells and the amounts owed by PWD #2 to be paid back, it was agreed that the numbers in the map, plan and report needed to be clarified before the public hearing on August 14, 2013.

Councilman Johnson said in his 12 years on the Board, these water rates have been raised one time. He still wondered if the current bonding could be rolled into the new bonding and extended out in order to keep the payment the same or at a very small increase to residents of the district.

Supervisor Kelly said he would check into this with some financial companies to see if that could be done.

Councilman Johnson said the increase would not be terrible if indeed the residents end up with a third well source and re-automation of the system. They would be in good shape.

Councilman DeRosa agreed, as long as there isn't other work to be done to the system in the future that required additional bonding.

Councilman Johnson agreed, saying he would like to see whatever needs to be done be done now so as not to have to bond additional things in the future.

Councilman Montemarano asked what the state of the infrastructure/distribution network is.

Councilman Johnson said terrible but it would be a million and a half dollars to replace the water lines. He didn't know how you could ever do that with the cost it would be to the residents.

BALLFIELDS

Councilman Johnson said regarding the ballfields, he was at the ballfields yesterday and spoke with Gary Lattrell this morning and Mr. Lattrell is unearthing more trouble with the rehabilitation of the upper field. Mr. Lattrell is estimating \$15,000.00 to \$20,000.00 of clay would be needed to fix that field. There may not be enough of the grant money to complete this so Councilman Johnson may have to ask the Board for some additional funds to complete it. Also, from a maintenance standpoint, he suggested the possibility of doing a Request for Proposal (RFP) for ball field maintenance next year. He would meet with Little League to see if they would accept maintenance of the infields and he would report back to the Board. He invited the Board to take a look at the ballfields so they have a better understanding of the situation.

Supervisor Kelly said he has been around the park and there are many areas that have not been weeded and areas that look atrocious.

Councilman Montemarano agreed. He said that the Town's herbicide permit holders could be spraying the weeds.

Following discussion, there was a motion by Supervisor Kelly at 9:35 AM, seconded by Councilman Johnson, to enter Executive Session to discuss personnel, motion passed unanimously.

The motion to enter into the regular order of business was made by Supervisor Kelly at 9:58 AM, seconded by Councilman Johnson, motion passed unanimously.

HOLMES WHALEY LAKE CIVIC ASSOCIATION BUILDING & 2013 CDBG

Councilman Montemarano said the Board had talked about how to approach the mediation of some tiles that need to be removed properly at the HWLCA building. The effected area is less than 100 square feet. He, Councilman DeRosa and Curt Johnson from Zarecki & Associates have some concerns because the funding is federal and the County is involved. They felt it would be best to include those specifications in the bid package and have the general contractor take control of that mediation.

The Board agreed to include this in the bid process as recommended by Councilmen Montemarano and DeRosa.

The motion to adjourn was made by Supervisor Kelly at 10:05 AM, seconded by Councilman Montemarano, motion passed unanimously.

Town Clerk