

Supervisor David P. Kelly opened a Special Meeting of the Town Board of the Town of Pawling at 7:00 PM February 19, 2014 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Upham, Montemarano, DeRosa and approximately 7 interested citizens.

PUBLIC COMMENT ON AGENDA ITEMS

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

PROPOSED LOCAL LAWS

Supervisor Kelly said his understanding is that at last week's Town Board meeting, Tom Corrao, Town of Pawling Code Enforcement Officer brought up some questions about the Outdoor Wood Burning Furnace proposed local law.

Councilman DeRosa said he sat down with Mr. Corrao and they went through his concerns. He answered some of Mr. Corrao's questions but there were two items he would like to review with the Town Attorney, but he has not had a chance to do that yet. He felt the Board should wait until the Town Attorney is consulted before they move forward. Councilman DeRosa said he also spoke to Mr. Corrao about his comments on the Wind Energy proposed local law. Mr. Corrao felt that the Town was discouraging any type of wind energy in the Town and that the proposed local law is too restrictive. Councilman DeRosa said the Implementation Committee has worked for a long time on this and there is no wind energy zoning in the Town Code now. There was an article in the Poughkeepsie Journal about a month ago, which he circulated to everyone, stating that there were problems in other communities that had no wind energy zoning in their Town's Code. The Implementation Committee, over the last year, reviewed approximately 6 wind energy laws from other communities and took an example of the less restrictive of them all to include in the proposed local law for Pawling. It is up to the Board whether they want wind energy zoning in the Town or not. The Town's Master Plan protects ridgelines, steep slopes and viewsheds. He believed the proposed Wind Energy Law was a good model for the Town.

Councilman Johnson said he did not think we should have them in Pawling, period. Writing a restrictive law is not necessarily the way not to have them. He sat through a lot of people expressing concerns when one was going up next to their home when someone went ahead and built one. He was in favor of having the Town Attorney review Mr. Corrao's comment letter. The fact that it is restrictive, he would support it but he was not sure that was the proper tool. He would rather just see them not allowed in town. That is his opinion.

Councilman DeRosa said technology is changing all the time and he felt the Town needed to have a division of energy available and he did not want to restrict them completely. He felt this ordinance was an example of good controls.

Councilman Upham agreed that the Town Attorney should look at Mr. Corrao's comments before the Board moves forward.

Supervisor Kelly said it comes down to what the Board wants to see in Town. He understood Councilman Johnson's view. The Town is protected now because they are at the stage of adoption of a local law.

Following further discussion, it was agreed that Mr. Corrao's comment letter would be reviewed by the Town Attorney and the proposed local laws would be on the March Workshop agenda.

FURTHER BUSINESS TO COME BEFORE THE BOARD

RFP/BALLFIELDS

Councilman Johnson said an RFP for the ballfields has been put together and reviewed. He wanted the Board's permission to circulate it subject to the Town Attorney's review.

Councilman Johnson made a motion to circulate an RFP for the ballfields subject to the Town Attorney's review and putting a statement in saying that any and all bids can be denied in case the bids come back and they are cost prohibitive, seconded by Councilman DeRosa, motion passed unanimously.

GOLF COURSE

Councilman Johnson said a Request for Qualifications (RFQ) was sent out for the Golf Course. One RFQ was received and he felt the Board should decide how they wanted to go forward with this. He has been working on some different score cards and different procedures. He felt there needed to be some type of food service, which would require some financial investment on the Town's part to put in a kitchen. He was not sure what action the Board needed to take.

Supervisor Kelly said the score cards have been given to the County for copying.

Councilman Johnson asked if he should meet with Tom D'Ottavio to discuss the changes the Board has discussed. Should he talk about terms of a contract?

Supervisor Kelly said yes, he felt a meeting with Mr. D'Ottavio would be in order.

Councilman Johnson said he would meet with Mr. D'Ottavio and he wanted to be able to tell him whether or not to go forward by March 1st. He asked Councilman DeRosa to attend that meeting.

Councilman DeRosa agreed.

Councilman Montemarano asked if the Board would send out bid packages for bids for operation of the golf course. He would like to address the \$42,000.00 shortfall in cash flow this year. Something needs to be done about that, this is strictly a per pay use of the public golf course, it's not a park that everyone can go to for free.

Councilman Johnson felt that the lack of response to the RFQ was indication that people are not interested in bidding on the golf course. The RFQ was sent specifically to two companies who run golf courses and they didn't even respond. He felt changing the score card system, possibly funding 20 hours per week in a ranger and adding food service would be improvements. While he did not feel the golf course had to be self sufficient, a \$40,000.00 deficit is substantial. Making these improvements could get the Town to a point where someone might want to run the golf course.

Councilman Montemarano said his preference would be some sort of bid that would address the shortfalls the Town has had, it has not been like this every year, he wanted to see some sort of effort to get it into balance.

Councilman Johnson said he would call both of the companies that didn't bid and discuss why they did not respond.

Councilman DeRosa said the conversation with Mr. D'Ottavio should include whether or not he is interested in adding food service and amenities.

PAWLING WATER DISTRICT #2

Councilman Johnson said there have been ongoing questions about the quality of the water tanks at PWD #2. It was discovered that a company called Entech did a report on the tank quality in 2006 and he is trying to get a copy of that report.

ETHICS BOARD ANNUAL REPORT

Supervisor Kelly said he received the 2013 Ethics Board Annual Report and Board members have received copies of that report.

JUCCA PETITION FOR SPECIAL DISTRICT #2

Supervisor Kelly said the Town has received a petition from Jucca on Special Sewer District #2. Pete Setaro from Morris Associates is working with representatives of Jucca on preparing the map, plan and report.

NYS ASSOCIATION OF TOWNS

Supervisor Kelly said a good contingency from the Town of Pawling went down to the NYS Association of Towns Conference in New York City. The presentations were good and the conference was very informative. There was a delegate meeting for the Association of Towns and there was concern expressed about the finances and transparency and the overall operations.

PUBLIC COMMENT

Vinny DiMarco said regarding windmills, his personal opinion was that we should not impose total restrictions on options for alternative energy, whether it is a windmill, solar

panel or wood burning stove. He felt there could be a formula to regulate these alternative energies and not ban them totally. He felt that eliminating alternative energies was not the right thing to do or a smart thing to do.

Steve Sollazzo said regarding the wind turbines, the Implementation Committee worked on this for fourteen months. They use about 15 pieces of legislation and dissected it to come up with the proposed local law. The Comprehensive Plan protects ridgelines and he felt should the Town should regulate wind turbines. Wind energy was not in the list of 20 items per the Comprehensive Plan update that was passed July 11, 2012. The Implementation Committee took the initiative to get this done. The proposed law does not restrict wind turbines totally but it does allow the Town to regulate them. He said the Historic Districting is very important for economic development for this community and he felt the Village and Town should do it together if possible.

Tom Corrao, Town of Pawling Code Enforcement Officer said he agreed with Councilman Johnson, saying wind turbines do not belong in the Town of Pawling the way they are designed now. The intent of his letter was that the small turbines should have their own set of guidelines. They should not be lumped in with the big turbines.

Helen Grosso said she did not know about the Wind Energy Law. She asked if there was a public hearing on this proposed local law.

Cathy Giordano, Town Clerk said the public hearing was held in November and was noticed per the law.

Ms. Grosso said it is not easy to find out about these things. Going through the law, she did not see much about aesthetic or historic impact. She appreciated that Councilman Johnson did not want to see these in Pawling. She will check with her neighbors to see if they knew this local law was being proposed. It would be nice if people knew about it. She asked when the Board would be considering the proposed local law again.

Supervisor Kelly said the first Wednesday in March.

EXECUTIVE SESSION

The motion to enter Executive Session was made by Supervisor Kelly to discuss the performance of two Town employees at 7:45 PM, seconded by Councilman Johnson, motion passed unanimously.

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

TEMPORARY CLERK

Supervisor Kelly said there is an employee who has noticed his office that she will be out for an extended period of time.

Supervisor Kelly made a motion to allow the Supervisor to hire a prospective clerk for 17½ hours and have that person perform the duties of a clerk on a temporary basis for twelve weeks, the position will be noticed in the Poughkeepsie Journal, the Town website, the Town Clerk's Board and Dutchess County Human Resources, seconded by Councilman Johnson.

Supervisor Kelly said the job will be posted at \$12.00 per hour.

The motion passed unanimously.

The motion to adjourn was made at 8:27 PM by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk