

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM June 11, 2014 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Montemarano, Upham, DeRosa and approximately 13 interested citizens.

### **MINUTES**

The motion to approve the minutes of May 7, 2014 and May 14, 2014 was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

### **PUBLIC COMMENT ON AGENDA ITEMS**

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

### **CONSENT AGENDA RESOLUTIONS**

#### **Resolution 2014072 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 20140595 through 20140752, now therefore, be it

Resolved, that the Pawling Town Board hereby accepts the vouchers as prepared and on the recommendation of the Bookkeeper and hereby authorizes payment of said vouchers for the Town of Pawling on this date in the amount of \$403,697.83.

#### **Resolution 2014073 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 Town Supervisor and or Director of Recreation will periodically receive requests 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 applied for and are hereby approved by the Town Board:

- 1) Dutchess County Board of Election; July 16, 2014 (1:15pm to 4pm) at Town Hall Election Inspector Training Class

#### **Resolution 2014074 Acceptance Resignation**

Whereas, William Blessey has served the residents of Pawling for the past 21 years as a member of the Zoning Board of Appeals, and

Whereas, Mr. Blessey has been served as Chairman of the Zoning Board of Appeals for the majority of his tenure on the Board, and

Whereas, on June 2, 2014, Mr. Blessey filed a letter of resignation with the Town Clerk to be effective 12/31/2014, now, therefore, be it

Resolved, that the Town Board hereby accepts Mr. Blessey's Letter of Resignation effective 12/31/2014 and would like to thank Mr. Blessey for his dedication to the Town of Pawling and to the residents of Pawling for the past 21 years.

**MOTION:** Supervisor Kelly  
**SECOND:** Councilman Johnson

Councilman DeRosa said Mr. Blessey's knowledge and history will be missed when he leaves.

**ROLL CALL VOTE:**

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

**FURTHER BUSINESS TO COME BEFORE THE BOARD**

**EMPLOYEE HANDBOOK**

Councilman Upham made a motion to forward the Employee Handbook to the Town's outside Labor Counsel David Shaw and have him look at it, so he can have the opportunity to make any changes that may be appropriate, seconded by Councilman Johnson.

Councilman DeRosa asked if some of the discussions the Board had would be finalized, for instance the health insurance buyout, before it is sent to Labor Counsel. Or would it be sent out to him and then it would have to be re-sent it to him.

Following discussion, Councilman Johnson suggested the updated Employee Handbook be re-circulated to the Board by email and hard copies, and they can take action at the next meeting in July.

Councilman Upham made a motion to rescind his motion with the understanding that there is a definite date for input from everyone, the July meeting, seconded by Councilman Johnson, motion passed unanimously.

**LOCAL LAW/VILLAGE**

Supervisor Kelly said he has given the Board a copy of a local law the Village of Pawling wanted to enact on May 19<sup>th</sup> and the Town was able to have that stopped. The law would require that the Town change all of the water meters in Pawling Water District #1.

The Board discussed the wording in the proposed local law and expressed concerns such as putting the purchase of the new meters out to bid, the cost of scanning equipment and software to do billing and the possibility of having PWD #1 turned over to the Village of Pawling to be incorporated into the Village water district. Following discussion, the Board agreed to write a letter to the Village Board expressing concern about the wording in the proposed law.

The motion was made by Supervisor Kelly to enter into discussions with the Village Board about a transfer of ownership of PWD #1 to the Village, seconded by Councilman Johnson, motion passed unanimously.

## **PJSC – IMA**

Supervisor Kelly said he has given the Board an updated Intermunicipal Agreement with the Pawling Joint Sewer Commission. He has emailed the Board the five prior agreements so they can compare them if they wish. This IMA would supersede any previous IMA. This IMA references the potential increase to the sewer treatment plant in the amount of 6.5 million dollars, it references the bonding the Village is seeking from the EFC and it discusses the ratio of 82% Village costs and 18% Town costs in some parts of the document and in other sections of the document, the percentage is 81% Village, 19% Town. So there is no consistency in the percentages in the document. There is no conversation about having an additional member from the Town Board on the Sewer Commission and that is something he recommends to the Town Board.

Councilman DeRosa suggested sending a letter to the Sewer Commission requesting adding another Town Board member to the Sewer Commission.

The Board agreed.

## **TURF MANAGEMENT PLAN/MURROW PARK/HOLMES POND**

Wendel Weber, Supervisor of Buildings & Grounds and JoAnne Daley, MS4 Coordinator addressed the Board. Ms. Daley explained that Walter Artus, Town Environmental Consultant has been in contact with NYS DEC and management plans were worked out for Holmes Pond and Murrow Park, where phragmites can be removed and better access can be gained. She said residents in Holmes can be educated as to how the plan can be implemented and carry it out themselves. The Town Maintenance Department would be carrying out the plan at Murrow Park.

## **MULCH FOR HOLMES PLAYGROUND**

Mr. Weber explained that playground mulch is needed at the Holmes playground. The cost is \$3,510.00. His spending limit is \$3,000.00.

The motion was made by Councilman Montemarano to allow Mr. Weber to procure the playground mulch material in the amount of \$3,510.00 off of State bid, seconded by Councilman Johnson, motion passed unanimously.

## **550 TRUCK**

Mr. Weber said the 550 truck has a leak in the oil pan because it is rusting out. He received an estimate of \$3,500.00 to repair it. He did not have enough money in his budget to repair the truck.

Supervisor Kelly made a motion to take \$3,500.00 out of fund balance to make the repairs to the 550 truck as necessary, seconded by Councilman Johnson, motion passed unanimously.

## **DROWNING PREVENTION CLASS**

Supervisor Kelly announced that Dutchess County Health Department is conducting a drowning prevention class at Lakeside Park on Monday, June 16<sup>th</sup> at 3:15 PM. It is free and he urged everyone to attend as it is open to the public.

## **PUBLIC COMMENT**

Vinny DiMarco said last Sunday, with the help of volunteers, they were able to clear the crest of the Whaley Lake Dam. It was a demanding job but it got done. He thanked all of the volunteers who helped with the clearing. He said the water level on the wetland side of the dam is quite high, which indicates that the cover crossing Metro North is blocked, probably due to beaver activity.

Supervisor Kelly said he would contact NYS DEC about this issue.

Mr. DiMarco said he would organize another dam clearing event in the fall and give the Board notice on that.

John Daley, Highway Superintendent said he would like to address comments that were made about him at the last meeting when he was not present to respond. Regarding the Department of Labor inspection at the highway garage, his liaison was notified about that and every bit of that sheet has been abated. As far as the talk about communication, he has a few requests. There is a monthly budget report that goes out to Board members. He has asked for this report for four and a half years and yet to receive one. He does not have a signed union contract, which he has to administer. It has come to his attention recently that two of his employee zeroed out their time and they have said the Supervisor has given them their year's time. By union contract, that time has to be approved. It makes it hard to schedule vacation when he has no idea what his employees have for time. The Association of Towns clearly states, "Time records must be maintained by the Town Superintendent". He read from the Consolidated Laws of New York State Highway Law, Law 140, "The Supervisor of the portion of the Town lying outside the city limits does not have any jurisdiction over the Town Superintendent of Highways".

The motion to adjourn was made by Supervisor Kelly at 7:45 PM, seconded by Councilman Johnson, motion passed unanimously.

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Town Clerk