

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM October 8, 2014 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Montemarano, Upham, DeRosa and approximately 6 interested citizens.

**2015 Budget address by Town Supervisor David P. Kelly**

Good evening and thank you for joining me as I present my 2015 budget address.....  
Governor Thomas Dewey is quoted as having said... “we need not be afraid of the future, for the future will be in our own hands.”

This budget needs to be viewed the same way; it is not something to shy away from. Instead, I ask that you embrace it, and view it as a path to great things for the Town of Pawling.

Since being elected to the office of Town Supervisor nearly 5 years ago, I have dedicated most of my waking hours, and quite a few sleepless nights, working to save the Pawling taxpayers every penny possible. With the support of the board, I have succeeded on several fronts. These achievements have not slowed me down but rather have encouraged me to do more.

REMEMBER THIS....There is always room for improvement and this budget addresses those concerns.

My budget is presented to you with a tax increase of 1.497%. This is well below the 1.56% tax cap that is set by State formula. The new State method is an unproven process that will likely have negative consequences for the taxpayers in the long run. Starting next year, the State will be issuing refunds to taxpayers based on how municipalities develop budgets. In speaking with other town supervisors throughout New York, I have discovered a common theme; towns are going right up to, if not *over* the tax cap this year in an effort to come in much lower next year for rebate purposes. I DO NOT ADVOCATE THIS BUDGETING PRACTICE!

Instead, I have chosen to craft an honest budget that addresses the needs of the Town and the taxpayers without any “gimmicks”. This budget freezes many expenditures at 2014 levels and I continue to monitor spending by adding specific line items for greater accountability.

Skyrocketing costs that we have little to no control over played a major role in this budget. Since 2012 the Town has seen an **OVERWHELMING 368% INCREASE** in premiums for workers compensation. After meeting with Dutchess County Risk Management, it has been determined that certain Town departments have a **SUBSTANTIAL NEGATIVE IMPACT** on our overall premium. In an attempt to overcome these safety-related accidents, additional mandatory training will be put into place in the near future.

Over the past couple of years, we have seen a 30% increase in the cost of our diesel fuel and electricity while heating oil has risen approximately 10%. Those trends, combined with today’s indicators, do not show any relief in sight. To that end, we need to find even more ways to reduce our diesel and electricity costs.

Our Town employees are important to both my constituency and me. To that end, this budget includes a salary increase of 1% for seasonal recreation employees, 2% for standard employees, and I will continue to honor the collective bargaining agreement with the Teamsters at the Highway Department. Improving the way our buildings and grounds are maintained is also a priority of mine. I will be releasing a five-year **CAPITAL PROJECTS PLAN** that will address not only the state of disrepair of our facilities but also how our buildings are being used. Several considerations will be discussed,... including, but not limited to, the relocation of Town Hall to the Lathrop building. This move would place all of our Town offices in one handicap accessible building...on the same floor... in the **TOWN OF PAWLING!**

The buildings and grounds department is understaffed..... The employees are doing the best they can with the hours they are allotted. **UNFORTUNATELY**, more work needs to be done. To achieve this, I am proposing that two part-time positions be converted to full-time. These positions are currently scheduled at full-time hours for two-thirds of the year, *yet* we do not provide them with benefits or any other compensation. **THIS PRACTICE NEEDS TO BE CHANGED!** Dedicated employees are an asset to the Town and it is in our best interest to give

them an incentive to remain employees of the Town. WE CANNOT RUN A MUNICIPALITY EFFICIENTLY, WITH A PART-TIME STAFF!

I am also seeking to change the position of Legislative Aide to full-time. Previous administrations have had the pleasure of having the Town Supervisor's office staffed on a full-time basis and I fully understand why that was. The taxpayers deserve to have someone in MY OFFICE on a full-time basis. I spent quite some time with no support staff in the office and that was frustrating! For the past three years, I, ALONG WITH THE TOWN BOARD, have had a Legislative Aide on a part-time basis. This has certainly proven beneficial. Taxpayers have noticed that the office is much more accessible and they are pleased, BUT IT IS STILL ONLY PART-TIME! As is the case with Buildings and Grounds, there is more work to be done and it cannot be accomplished with an under-staffed office; I need a full-time staff person.

Technology is also addressed in my 2015 budget. In an effort to assist the Town Clerk in keeping up with the times, I am proposing that we secure the Retention module for the laser-fiche system. The Town Clerk, who recently received recognition for advances in technology, can discuss this project at a time that is convenient for all parties. Bringing the computers into the 21<sup>st</sup> century at our Recreation, Buildings and Grounds, and Highway departments will further enhance the efficiency of those departments. The recently approved fuel distribution system at the Highway department will further allow us to monitor expenditures with cost-saving software.

On a much lighter note, the recreation department is also receiving attention in the 2015 operating budget. In conversations with the Town Recreation Director, we have discussed plans to have additional bus trips for Pawling residents of all ages; FROM TODDLERS TO SENIORS! These trips will be added to our great selection of existing programs that benefit a large cross-section of our town. Due to the success of the Music by the Lake concert series, our program director has asked that we add one more concert to the series for 2015, and I SUPPORT THAT INITIATIVE.

The task of crafting the budget is certainly not easy and it requires input from my employees, department heads, and the Town Board. I truly appreciate the thoughtful suggestions everyone made to get this budget ready. This budget would not be possible without the help of my bookkeeper, Jerry Terwilliger. Jerry goes beyond the call of duty to assist me with making sure that... the numbers add up and...the taxes stay down. Jerry Terwilliger is truly an asset to the Town.

I have presented a fiscally conservative budget that addresses our needs going forward. In the words of another Pawling resident, Edward R. Murrow... "WE CANNOT MAKE GOOD NEWS OUT OF BAD PRACTICE.".....THIS BUDGET ATTEMPTS TO END SOME BAD PRACTICES WHILE BRINGING GOOD NEWS TO OUR RESIDENTS. I encourage you to adopt this budget, as presented, for the benefit of our deserving taxpayers.

THANK YOU!

### **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 September 3, 2014 and September 10, 2014 was made by Supervisor Kelly, seconded by Councilman Johnson, and passed with the following roll call vote:

### **ROLL CALL VOTE:**

Councilman Johnson – "AYE"

Councilman DeRosa – "AYE"

Councilman Upham – "AYE"

Councilman Montemarano – "AYE"

Supervisor Kelly – "AYE"

## **CONSENT AGENDA RESOLUTIONS**

### **Resolution 2014097 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 20141232 through 20141360, 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 \$323,505.40.

### **Resolution 2014100 Planning Board; Restoration Bonds & Consultant Fees “Castagna Commerce Park – JUCCA Company”**

Whereas, the Planning Board of the Town of Pawling is currently reviewing the application of Castagna Commerce Park – JUCCA Company on Route 22, and

Whereas, the Planning Board at their regular meeting of September 15, 2014 has made a recommendation to the Town Board to approve / accept a Restoration Bond in the amount of \$250,000 and to set consultant fees in the amount of \$12,500, now, therefore, be it

Resolved, that the Town Board hereby accepts the recommendation of Pawling Planning Board on the above matters relating to Castagna Commerce Park – JUCCA Company and orders the Restoration Bond to be set in the amount of \$250,000 and to set consultant fees in the amount of \$12,500, and, be it, further

Resolved, that the new Restoration Bond shall be filed with the Town Clerk in accordance with Town Law and the Consultant fees to be made payable to the Castagna Escrow account.

### **Resolution 2014101 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 \$14,216.10 for the period of July 1, 2014 through September 30, 2014 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.

### **Resolution 2014102 County Snow & Ice Control Program, Dutchess County, New York**

Whereas, the Town Superintendent of Highways has been requested by the County of Dutchess to participate in the regional County Highway Snow & Ice Control Program within the boundaries of the Town, and

Whereas, the County of Dutchess is requesting that the Town enter into a contract with the County for participation in the County Snow and Ice Control Program, and

Whereas, and logically, an earlier or sooner response factor can be provided by Town units and personnel within the locale thereby benefitting the overall safety and welfare of town residents and local community interest, and

Whereas, such participation by the Town in removing snow from designated County Highways, and by sanding and salting or otherwise treating them for the purpose of maintaining highway safety and accessibility for emergency services, is specifically authorized by Article 6, section 135-a of the New York State Highway Law, now, therefore, be it

Resolved, that the Town Supervisor is authorized to execute “Change Order Extension” for the Town’s continued participation in the County Snow and Ice Control Program, and the Town Superintendent of Highways is hereby authorized to perform such work in accordance with the 2013- 2014 Town and County contract for County Snow and Ice Control Program for the Winter season of 2014 -2015.

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

**ROLL CALL VOTE:**

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

**NON CONSENT AGENDA RESOLUTIONS**

**Resolution 2014104  
Acceptance Town Justice – “Annual Audit Reports”**

Whereas, the Unified Court Act requires that town justices annually provide their court records and docks to their respective town auditing boards, and

Whereas, such records then are to be examined or audited by the Town Board members, and

Whereas, the Town Supervisor received the Annual Audit Report from Justice Daniels and Justice Denton for calendar year 2013 on October 1, 2014 and made said reports available to the Town Board members after the Town Board Workshop meeting of October 1, 2014, and

Whereas, such Annual Audit Reports continued to be available for review and audit to the Town Board members at the Town Clerks Office until the time of the Town Board meeting on Wednesday, October 8, 2014, now, therefore, be it

Resolved, that the Town Board does hereby acknowledge receipt of the Town of Pawling Justice Annual Audit Report(s) and has been given the opportunity to review and comment on said reports.

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

**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 TRAINING**

Councilman Upham said there is mandatory training such as the employee assistance program, sexual harassment and other statutory things that need to be discussed annually. The Board needs to set aside a date to do this training.

Supervisor Kelly said he and Councilman Upham would need to come up with a date and close Town Offices for training.

Supervisor Kelly made a motion to secure the training as need for employee training at a date set in the future that works with the Highway Department and authorize the closure of all Town Offices for that period of time, seconded by Councilman Johnson, motion passed unanimously.

### **TENTATIVE TO PRELIMINARY BUDGET**

The motion to move the budget from the tentative budget to the preliminary budget was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

### **NEW EQUIPMENT FOR HIGHWAY DEPARTMENT**

Councilman Johnson said he, Councilman Montemarano and Highway Superintendent John Daley met last Friday with a gentleman from Caterpillar regarding the purchase of a wheel loader. The current equipment may not last the winter.

The Board discussed the purchase of the wheel loader and how it would be paid for, including taking a B.A.N., bond or leasing. Also discussed was trading in the current equipment or auctioning it off. Following discussion, it was agreed that more information was necessary on the equipment and also the financing of the equipment. Board members and Highway Superintendent Daley would continue to collect information and discuss the purchase at the next meeting.

### **BASKETBALL COURTS/CHILDREN'S PLAY AREA AT LAKESIDE PARK**

Councilman Montemarano explained that he continues to work on the basketball courts and children's play area at Lakeside Park. The RFP for the laser guided grading and paving and basketball back boards would be ready tomorrow.

Councilman Montemarano made a motion to approve the purchase of four (4) basketball systems based on catalogue prices and quotes to the lowest bidder, seconded by Councilman Johnson, motion passed unanimously.

Councilman Montemarano made a motion to approve the RFP for the paving, laser guided grading and installation of the back board system, subject to the review of the Town Attorney and circulate it to the required number minimum of qualified contractors seconded by Councilman Johnson, motion passed unanimously.

### **BUDGET**

Councilman Montemarano said relative to the budget, it is still very quiet out there, and when you get into full time employees, there are a lot more benefits to be paid, such as retirement and healthcare. The Board may want to be cautious about hiring full time employees. He received from NYSHIP an actuarial report, which could help project the Town's exposure moving forward.

Supervisor Kelly said there are a lot of reasons why the Board should be moving forward with full time employees and as the budget process progresses, he can explain why.

### **GAS STATION/CONVENIENCE STORE WORDING**

Councilman DeRosa said he would like the Town Attorney at the next Town Board workshop meeting so the Board can ask questions about the gas station/convenience store wording and the Board can either move it forward or put it to bed.

## **BUDGET**

Councilman DeRosa said in the budget, he would look at a couple of things. The Board has been giving Town employees a 2% raise and he would like to look at giving them a better raise if there is extra money. As far as the maintenance department, he felt the trial in Holmes farming out cutting the grass was a big success. The Board might want to consider farming out some of the maintenance duties if it can be done instead of creating full time employees. He also felt the Board needed to look at the health insurance buyout and insurance costs.

## **PUBLIC COMMENT**

Supervisor Kelly opened the meeting for public comments and there were none.

The motion to adjourn was made by Councilman Upham at 7:40 PM in honor of Ryan Bender who is returning from Afghanistan as an Army Medic, seconded by Councilman Johnson, motion passed unanimously.

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Town Clerk