

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM January 14, 2015 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 12/3/2014 and 12/10/2014 was made by Supervisor Kelly, seconded by Councilman Upham, motion passed unanimously.

CONSENT AGENDA

**Resolution 2015041
Pawling Joint Sewer Commission Budget for 2015**

Whereas, the Town of Pawling received a request from the Pawling Joint Sewer Commission to approve the 2015 budget, and

Whereas, the Pawling Town Board has reviewed the budget attached to the resolution, now therefore, be it

Resolved, that the Pawling Town Board hereby approves the Pawling Joint Sewer Commission Budget as follows; Revenues in the amount of \$725,958, Appropriations of \$636,878, Bonding Costs of \$89,080 for a total budget of \$725,958.

**Resolution 2015042
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 20141650 through 20141795, 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 \$525,686.78.

**Resolution 2015043
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 \$13,880.30 for the period of October 1, 2014 through December 31, 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.

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

**Resolution 2015044
Budget Transfers**

Whereas, budget transfers are needed from time to time for proper accountability, control and operation of a municipality’s budget, now, therefore, be it

Resolved, that the Town Board hereby authorizes the following budgetary transfers:

General Fund

Increase	1110.404A Telephone	150.00	
Decrease	1110.403A Office Supplies		150.00
Increase	1220.100A Pers. Svcs/	1,000.00	
Increase	1220.404A Telephone	300.00	
Decrease	1220.403A Office Supplies		1,300.00
Increase	1340.404A Telephone	100.00	
Decrease	1340.403A Office Supplies		100.00
Increase	1410.402A Travel	200.00	
Decrease	1410.401A Training		200.00
Increase	1680.407A Compute Mtn..	5,100.00	
Decrease	1680.423A OCIS Chgs.		5,100.00
Increase	9730.600A BAN Principal	14,000.00	
Increase	9730.700A BAN Interest	75.00	
Decrease	1930.400A Judgments & Claims		14,075.00
Increase	9901.900A Trans. to Other Funds	130,000.00	
Increase	0599.000A Appro. Fund Bal		130,000.00

General Fund Town O/S Village

Increase	3620.100B Pers. Svc.	2,000.00	
Increase	3620.401B Training	200.00	
Increase	3620.404B Telephone	600.00	
Decrease	3620.453B Consol. Svcs.		2,800.00
Increase	8020.100B Pers. Svc.	4,000.00	
Increase	8020.402B Travel	50.00	
Increase	8020.404B Telephone	500.00	
Decrease	8020.453B Consol. Svcs.		4,550.00
Increase	9089.800B Medicare Reimbr.	100.00	
Decrease	9060.800B Hosp. & Med. Ins.		100.00

Summer Camp

Increase	9901.900ES Interfund Trf.	10,000.00	
Decrease	7140.100ES Pers. Svcs.		10,000.00

Highway Fund O/S Village

Increase	5130.200DB Equipment	38,000.00	
Increase	0599.000DB Appro. Fund Bal.		38,000.00
Increase	9950.900DB Trf. to Cap. Proj.	5,000.00	
Decrease	5130.200DB Equipment		5,000.00

Capital Projects

Increase	5130.200H Equipment	170,000.00	
Increase	5031.000H Interfund Trf.		5,000.00
Increase	5730.000H BAN Proceeds		165,000.00

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

**Resolution 2015045
Proposed Local Law 215-28- Notification**

Whereas, the Implementation Committee exists as an advisory committee to the Town Board, and,

Whereas, the Implementation Committee has been tasked with recommending changes to the Comprehensive Plan, Zoning Code, and all other planning concerns directly to the Town Board, and,

Whereas, the Implementation Committee has recommended changes to Town of Pawling Local Law 215-28, “Commercial garages and gasoline filling stations”, and,

Whereas, the Town Board is considering making the recommended changes to said Local Law 215-28, now, therefore, be it

Resolved, that the Town Board hereby gives the authority to the Town Clerk to notice the proposed changes to the Town Law, section 215-28, to all interested parties, and to set a public hearing for February 11, 2015.

MOTION: Supervisor Kelly
SECOND: Councilman Upham

Councilman DeRosa said the Board passed a motion on December 3, 2014 to schedule a public hearing on the proposed local law on February 4, 2015.

Supervisor Kelly amended the public hearing date in the Resolution from February 11, 2015 to February 4, 2015.

ROLL CALL VOTE:

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

**Resolution 2015046
Facility Use Requests - Waiver / Fees**

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 requests to waive the fees, and

Whereas, the Town Board sets the fees for the use of facilities, now, therefore, be it

Resolved, that the following fees / waiver(s) have been authorized by the Town Board:

Pawling Girl Scouts	Sat. 1/24/15	Lathrop	Fee: \$50.00
Pawling Girls Scouts	Sat. 2/22/15	Lathrop	Fee: \$50.00

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Supervisor Kelly said he received two requests from the Recreation Director for fees to be waived. In the new fee structure, not for profits pay a \$50.00 fee. This is to notify them that they will be paying the new fee.

Councilman Johnson asked if anyone had notified these organizations and groups.

Supervisor Kelly said the Recreation Director had not. He said he would notify these applicants directly regarding the fee.

Councilman Johnson said if there is an issue with them paying the fee for the meeting on the 24th, he felt he could be flexible until the not for profits were properly notified. He suggested sending a letter out to anyone who has used the facilities for no fee. He agreed with the fee and said maybe a notification process should have been included in the process prior to implementing.

Supervisor Kelly felt the Recreation Director should have notified people of the change as they apply for facilities use requests to her department.

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman Upham – “AYE”

Councilman Montemarano – “AYE”

Supervisor Kelly – “AYE”

Resolution 2015047
Stipulation of Settlement/Index number: 7350/13

Whereas, a tentative settlement has been agreed to between the Town of Pawling Assessor for the Town of Pawling, and the Assessment Board of Review vs. Gioncondo and Margherita DiPietro for tax years 2013, and

Whereas, it is in the best interests of the Town of Pawling and its residents that the settlement be approved, now therefore be it,

Resolved, that the Pawling Town Board hereby accepts the recommendation of the Town Assessor and Legal Counsel in a matter of a Stipulation of Settlement with Gioncondo and Margherita DiPietro , and be it further

Resolved, that the assessments on said parcel included be reduced in value within the recommendations of the Assessor and Legal Council

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

WHALEY LAKE DAM INFORMATIONAL MEETING

Councilman Johnson said the Board had discussed scheduling a public awareness meeting or mailing and he said if scheduled now, it would probably be held in February. He wondered if a meeting should be scheduled.

Supervisor Kelly said he updated the Board in December regarding the County Attorney researching the transfer of title of the property to the Town of Pawling. That will be handled through February in Surrogate Court. That process will take place through July 15th. The County Attorney and Town Attorney are working on an agreement which would allow the Town to go onto the property and start the project per the schedule. There are a number of things that need to happen but he felt an informational meeting could be scheduled to inform the public on the time lines and update them on the project. The Town is still looking at the April 1st draw down date for the project.

Following discussion, it was agreed that an informational meeting would be scheduled for Saturday, February 28, 2015 at 1:00 PM.

Supervisor Kelly said he would prepare a letter to the residents, send it to the Board for approval and send it out to the residents notifying them of the meeting.

HOLMES WHALEY LAKE CIVIC CENTER CHANGE ORDER

Councilman Montemarano said he received from the architect this morning a change order for the Holmes Whaley Lake Civic Center project. The change order is for fire rated doors and jams and things of that nature.

Following discussion, Councilman Montemarano made a motion to approve the change order proposal as submitted, seconded by Councilman DeRosa, motion passed unanimously.

TRANSFER STATION

Councilman DeRosa said he spoke with Supervisor Kelly, Councilman Montemarano, certain employees and the Town Clerk’s office regarding the Transfer Station. He has been getting different ideas and input on some of the problems with the Transfer Station. He suggested holding a Transfer Station summit to discuss what the problems are with the Transfer Station and how they can be rectified and to look for solutions.

Councilman DeRosa said Noela Hooper from Dutchess County Planning & Development is retiring after 27 years and a retirement celebration will be held for her on January 31st. He asked that a letter of recognition congratulating her on her retirement be prepared so he could present it to her on January 31st.

Supervisor Kelly said he would prepare a letter for Councilman DeRosa to present to Ms. Hooper.

PUBLIC COMMENT

Vinny DiMarco thanked the Board for tentatively scheduling the Whaley Lake Dam meeting. He said doing it on February 28th was good because there will probably be a lot more information at that time. If the meeting has to be pushed out a week in order to have a definite answer as to whether the lake will be dewatered, he felt that would be fine. He felt the public should be informed as much as possible. He appreciated the Board’s efforts and all that they do.

Helen Grosso said related to the Transfer Station, she tried to throw away one of the new light bulbs and there doesn't seem to be any method of throwing them away at the Transfer Station. She encouraged the Board to rectify this situation as they can be dangerous if they are broken.

Steve Sollazzo asked if there was a plan for the Town's physical plant and fields.

Supervisor Kelly said the State of the Town address will be at the Board meeting in February.

EXECUTIVE SESSION

The motion to enter Executive Session was made by Supervisor Kelly at 7:30 PM to discuss a personnel matter, seconded by Councilman Upham, motion passed unanimously.

The motion to return to the regular order of business was made by Supervisor Kelly at 7:55 PM, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly made a motion to remove resolution 2015017 from the table, seconded by Councilman Upham.

Resolution 2015017 Appointing a Town Court Special Prosecutor(s)

Whereas, the position of Town Court Prosecutor is an appointed position that serves at the pleasure of the Town Board, now, therefore be it

Resolved, that _____ is hereby appointed Town of Pawling Town Special Prosecutor, and be it further

Resolved, the term of Town Prosecutor be effective January 7, 2015 to January 7, 2016.

Supervisor Kelly introduced an amendment to Resolution 2015017, in the Resolved he would like to add the name of Cappillino & Rothschild, LLP to represent the Town as the Town's Special Prosecutor, seconded by Councilman Johnson, motion passed unanimously.

ROLL CALL VOTE ON RESOLUTION 2015017:

Councilman Johnson – "AYE"

Councilman DeRosa – "AYE"

Councilman Upham – "AYE"

Councilman Montemarano – "AYE"

Supervisor Kelly – "AYE"

CREATION OF POSITION OF ZONING ADMINISTRATOR

Supervisor Kelly made a motion to create the position of Zoning Administrator with Dutchess County Personnel Department, which would be a part time position, seconded by Councilman DeRosa, motion passed unanimously.

The motion to adjourn was made by Supervisor Kelly at 8:00 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk