

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 6:30 PM August 12, 2015 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Montemarano, Upham, DeRosa and approximately 20 interested citizens.

EXECUTIVE SESSION

The motion to enter into Executive Session was made by Supervisor Kelly at 6:31 PM to discuss litigation with the Town Attorney, seconded by Councilman Upham, motion passed unanimously.

The motion to return to the regular order of business was made by Supervisor Kelly at 8:00 PM, seconded by Councilman Upham, motion passed unanimously.

PAWLING AMERICAN LEGION – COMMANDER MUSELLA

Commander Louis Musella expressed concern about the condition of the Legion building. Mr. Musella said he had come before the Board about two years ago with the same concerns and nothing has been done. He asked what the plans were for the Legion building. There are many issues with the building, for instance no gutters, leaks, the façade is coming down and the steps are in disarray. He hoped that progress would have been made with repairs. He is forced to come before the Board again and ask what the plan for the Legion building is. The building is a direct reflection on him personally as the Commander of the Post and he is asked often what is going to happen with the building. They have put over \$2,000.00 of their own money into the building, in the room they use. Mr. Musella said he has been attending some Village Board meetings. The Village Board is preparing to enact a law which requires all properties to be maintained in the Village. Once this law is passed, the Legion building will not meet all of the minimum standards in the new law. He is asking what will happen with the Legion building because it is an embarrassment, so much so that he was considering taking down the American Legion sign and the American Flag in the window, which would be a shame to do. He hoped that the history of the building might be the impetus to get something done with it. He asked that the Board make the building respectable so he can be proud of it. He was confident the Board would do something about it and thanked them for their time.

PUBLIC HEARING/LOCAL LAW - 2015/“Prohibiting Certain Sump Pumps and Other Discharges Into The Village and Town of Pawling Joint Sanitary Sewer System”

Supervisor Kelly opened the public hearing.
There were no comments from the audience.

Supervisor Kelly made a motion to allow the public hearing to be left open for 30 days for written comments only, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Kelly closed the public hearing.

PUBLIC COMMENT ON AGENDA ITEMS

Helen Grosso asked what the cause of the local law was, she wanted to learn more about what is causing the need for this law. She also asked what the savings was to the Town in giving the health insurance buyout to people.

MINUTES

Supervisor Kelly made a motion to approve the minutes of July 15, 2015 and July 29, 2015, seconded by Councilman Upham, motion passed unanimously.

RESOLUTIONS

**Resolution 2015087
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 20150980 through 20151149, 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 \$235,646.92.

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 2015088
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, reduction, or waiver(s) have been authorized by the Town Board:

Organization	Date & Time	Location
<i>Boy Scouts</i>	<i>Wednesday’s from 9/9/15 to 12/9/15 7:00pm to 9:00pm</i>	<i>Lathrop JC Penney Room</i>
<i>Boys Scouts</i>	<i>10/21/15, 12/16/15, 3/30/16, 6/15/16 7pm to 9pm</i>	<i>Lathrop Auditorium</i>

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 2015089
Planning Department - Refund Escrow Account

Whereas, the Planning Board on June 1, 2015 passed a motion unanimously to release \$2,275.00 escrow balance to Tremson Wood Products, and

Whereas, it has been confirmed by Stormwater Management Consultants and Morris Associates that there are no outstanding bills and that there will be no future bills for review, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby accepts the recommendation of the Pawling Planning Board and hereby authorizes the refund of the balance of the escrow account in the name of Tremson Wood Products.

MOTION: Supervisor Kelly

SECOND: Councilman DeRosa

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman Upham – “AYE”

Councilman Montemarano – “AYE”

Supervisor Kelly – “AYE”

Resolution 2015090
Planning Board; Restoration Bond

Whereas, the Planning Board of the Town of Pawling is currently reviewing the application of Putnam County Savings Bank on Route 22, and

Whereas, the Planning Board at the July 20, 2015 meeting reviewed and discussed the recommendation from the Engineer to the Town of Pawling on the amount of a Restoration Bond for the Putnam County Savings Bank project, and

Whereas, the Planning Board voted to accept the recommended amount of the Restoration Bond in the amount of \$28,000, now, therefore, be it

Resolved, that based on the recommendation of the Planning Board, the Town Board hereby accepts the recommendation and hereby sets a Restoration Bond for the Putnam County Savings Bank project in the amount of \$28,000.

MOTION: Supervisor Kelly

SECOND: Councilman DeRosa

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman Upham – “AYE”

Councilman Montemarano – “AYE”

Supervisor Kelly – “AYE”

Resolution 2015091
Billing for Pawling Water District #1

Whereas, Pawling Water District #1 bills need to be approved by the Pawling Town Board, and,

Whereas, the bills have been prepared and submitted in the amount of \$ 2,318.00 for the period of May 1, 2015 through July 31, 2015 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 #1.

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 2015092
Health Insurance Buyout**

Whereas, the Town of Pawling offers employees the ability to join into a buyout program of health benefits, and

Whereas, the Town of Pawling employees as per Town Code 40 -3 A are required to notify the Supervisor in writing of his or her election to be paid money in lieu of health insurance, and

Whereas, new employees have confirmed their desire to take part in Chapter 40 of the Town Code, now, therefore, be it

Resolved, that the Town Board hereby grants the Insurance Buyout to the following employees in accordance to Chapter 40-3 of Town Code:

Kelly Roselle – 8 months @ \$333.33 / month = \$2666.67
Carl Ellis- 5 months @ \$333.33/ month = \$1666.65

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Supervisor Kelly said the health insurance runs approximately \$19,000.00 for the family plan and approximately \$10,000.00 for an individual.

ROLL CALL VOTE:

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

**Resolution 2015093
Appointment of Laborer – Full-Time**

Whereas, the Town of Pawling is committed to maintenance and improvements to its Physical Plant, and

Whereas, the Town of Pawling desires to employ individuals to be involved in the day to day labor to complete such tasks, and

Whereas, the Building and Grounds Department has employed Elliott Ludington during 2013 & 2014 now, therefore, be it

Resolved, that the Town Board hereby appoints Elliott Ludington to the position of Full-time Laborer effective July 1, 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”

**Resolution 2015094
Appointment of Laborer –Full-Time**

Whereas, the Town of Pawling is committed to maintenance and improvements to its physical plant, and

Whereas, the Town of Pawling desires to employ individuals to be involved in the day to day labor to complete such tasks, and

Whereas, the Building and Grounds Department has employed Trevor Wendover during 2010, 2011, 2012, 2013 and 2014, now, therefore, be it

Resolved, that the Town Board hereby appoints Trevor Wendover to the position of Full-time Laborer effective July 1, 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”

FURTHER BUSINESS

TRANSFER STATION EQUIPMENT

John Daley, Highway Superintendent said he sent the Board an email regarding tires on the loader. He did quite a bit of work to come up with this price. He felt it was a good price.

Supervisor Kelly made a motion to approve the purchase of the tires from Corsetti Tires for \$10,300.00 and also have an allowance for the same amount of money for potential rims or any other repairs that are needed for the tires, seconded by Councilman Johnson, motion passed unanimously.

INCREASED PRICE FOR ROAD SALT

John Daley, Highway Superintendent, said he has been notified by NYS OGS that there will be an increase in the price of road salt of 46%. The minimum he needs to purchase is 1,700 ton so the increase is approximately \$46,000.00.

LAKESIDE PARK & HOLMES BASKETBALL COURTS

Councilman Montemarano submitted information and prices to the Board regarding the Lakeside Park and Holmes Basketball Courts.

Following discussion, the Board agreed that the colors blue and tan would be good for the Town Seal at the courts. There was discussion about the fencing and following discussion, it was agreed that Councilman Montemarano would do some research and get some additional prices on fencing.

BUILDING DEPARTMENT WINTER HOURS

Councilman DeRosa said the Building Department has requested having winter hours, from 11/1 to 3/31 they would like to have the same hours as the Town Hall of 8:30 AM to 4:00 PM. They will work 7:30 AM to 3:00 PM from 4/1 to 10/31.

Supervisor Kelly made a motion to change the Building Department hours from 11/1 to 3/31 to 8:30 AM to 4:00 PM, seconded by Councilman Johnson.

Supervisor Kelly said the Board sets the times of operation in the organizational agenda so that is when this will be listed.

The motion passed unanimously.

PWD #2 GENERATOR MAINTENANCE CONTRACT

Councilman Johnson said he received a proposal from Peak Power Systems for a service contract. He felt it was a good idea to purchase it.

Councilman Johnson made a motion to purchase the service agreement from Peak Power Systems in the amount of \$912.25, seconded by Supervisor Kelly motion passed unanimously.

ZBA MEMBER AND CHAIRMAN

Councilman DeRosa reminded the Board that the Zoning Board of Appeals still needs a member and that as of 12/31/15, Chairman Bill Blessey will be finished.

PUBLIC COMMENT

Harvey Matcovsky, resident of Holmes, congratulated the Pawling Community Foundation for their work. He understood that the Lakeside Park bond was refinanced a few years ago. He asked what the encumbrances are on Murrow Park and Lakeside Park because everyone needs to know what can and can't be done at these parks. It would be helpful to know what the encumbrances are. He suggested that interest rates are low and the Board should consider borrowing money at this time.

Supervisor Kelly said he is working with bond counsel on what the encumbrances are.

Supervisor Kelly made a motion to go back into "Further Business", seconded by Councilman Johnson, motion passed unanimously.

WHALEY LAKE DAM ACCESS ROAD

Supervisor Kelly said the Board received a letter today from the Town Engineer in the review of the bid submittals for the road access for the Whaley Lake Dam. The Town Engineer and Town Attorney have reviewed the documents. The Town Engineer has come up with an award offer for the Board to consider. The low bidder was not acceptable as the low bidder did not meet some of the criteria for the submittal. The Town Engineer's suggestion is that the second lowest bidder be considered by the Board for the project.

Supervisor Kelly made a motion that the Town Board accept the bid of Land Works in the amount of \$194,000.00 contingent upon the approval of the attorney of the documentation, seconded by Councilman Johnson, motion passed unanimously.

The motion to adjourn was made by Supervisor Kelly at 8:45 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk