

Supervisor David P. Kelly opened a Special Meeting of the Town Board of the Town of Pawling and the Whaley Lake Dam Safety Committee at 8:05 PM August 25, 2015 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, Montemarano, Upham, DeRosa, Vinny DiMarco/Dam Safety Committee, Brenda Colberg/Dam Safety Committee and approximately 10 interested citizens.

The Board and Committee discussed many items relating to the Whaley Lake Dam project. Some of the items discussed were comments from NYS DEC, dam title ownership, dam access road, LDS Church property and Benko property, insurance, timing of the project and the dewatering of the lake, and the Island Owners Association comments.

Supervisor Kelly stated that once Dutchess County turns title of the dam parcel over to the Town and the Town owns the dam, NYS DEC will approve the project. Dutchess County is ready to turn title over to the Town and that should happen soon. He is waiting for a closing date.

Following discussion, Supervisor Kelly made a motion to engage Zarecki & Associates to prepare a survey and a metes and bounds description of the LDS property pending engineers description of needed area, seconded by Councilman DeRosa, motion passed unanimously.

Following further discussion, Councilman DeRosa made a motion to offer Mr. Benko twice the amount of square footage the Town is getting plus the removal of the covenant of the easement on his property.

There was no second to the motion.

Councilman Johnson made a motion to authorize the Supervisor to continue to negotiate with Mr. Benko offering the removal of the right of way on his property in exchange for a lesser exchange of land, seconded by Councilman Montemarano.

Councilman DeRosa said he would like to accompany the Supervisor on the negotiation.

Supervisor Kelly said he had no problem with anyone going.

The motion passed unanimously.

Supervisor Kelly mentioned that he received a letter from the Island Owner's Association. They expressed concern about access to the island during the dewatering. It is not up to the Town to decide the emergency protocol for defending a fire or something on the island, it is up to the Fire Department to come up with an emergency plan.

Regarding funding, Supervisor Kelly said the Town has one million dollars from the Federal Government but once the dam is owned by the Town, the Town can then seek additional funding for this project.

Following discussion, it was agreed that information will need to get out to the public either by meetings or mailings or both once the plan is in place.

Supervisor Kelly said Mr. & Mrs. Benko have asked that consideration be given to putting in times of operation for construction, for instance they would prefer no work on the weekends, etc. He felt the Board could look into this issue while developing the RFP and the Board agreed.

Supervisor Kelly suggested an "Owner Overseer", a representative of the Town to oversee the project to keep the project on schedule. He felt the Board should discuss this.

The motion to adjourn was made by Supervisor Kelly at 9:00 PM, seconded by Councilman DeRosa, motion passed unanimously.

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Town Clerk