

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM May 11, 2016 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.

### **PRESENTATION OF ANNUAL MS4 REPORT**

The Board entertained a presentation by JoAnne Daley, MS4 Coordinator, of the MS4 Annual Report. Ms. Daley explained that she had distributed copies of the Annual MS4 report to the Board and it is ready to go to NYS DEC. She explained that all departments have to fill out paperwork throughout the year and submit it to her. In the end, she has to put all of the paperwork together and create the annual report. The Town is on target with the MS4 program.

Supervisor Kelly thanked Ms. Daley for all of the work she does throughout the year on MS4. She works all year long to make sure she has all of the information to generate the annual report when it is time.

The Board thanked Mrs. Daley for her work on MS4.

### **MINUTES**

The motion to approve the minutes of 3/2/2016 and 3/9/2016 was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

The motion to approve the minutes of 4/6/2016 and 4/13/16 was made by Supervisor Kelly, seconded by Councilman Johnson, motion passed unanimously.

### **CONSENT AGENDA**

#### **Resolution 2016060 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 20160513 through 20160672, 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 \$609,203.19.

#### **Resolution 2016061 Authorizing 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 \$2,381.60 for the period of February 1, 2016 through April 30, 2016 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.

**Resolution 2016063  
Acceptance Donation NYSEG**

Whereas, from time to time, interested parties donate items to be used for the enjoyment of all who visit various Town owned facilities, and,

Whereas, NYSEG Governmental Representative contacted the Town Supervisor's Office looking to donate funds to a Community Cultural Program, and

Whereas, the Town of Pawling operates a free concert series known as "Music by the Lake" at Lakeside Park, and

Whereas, NYSEG has donated \$500 to support the 2016 "Music by the Lake" concert series, now therefore be it

Resolved, that the Town of Pawling hereby accepts the donation of \$500 from NYSEG for the 2016 "Music by the Lake" concert series, and, be it, further

Resolved, that the Town Board hereby directs that all future publications promoting the 2016 "Music by the Lake" concerts shall include the language; *"Music by the Lake" is presented, in part, with funds donated by NYSEG*

**Resolution 2016064  
Planning Board -Escrow Reduction**

Whereas, the Planning Board at the regular meeting of April 4, 2016, discussed the potential of a reduction in the initial escrow deposit for BDZ Inc.(Old Town Barns), and

Whereas, in a letter to the Town Board dated April 11, 2016, the Planning Board passed a motion requesting the Town Board to consider a reduced initial escrow deposit for BDZ Inc. to a level below the 2016 Schedule of Fees set annually by the Town Board, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby accepts the recommendation of Pawling Planning Board to reduce the initial escrow deposit to \$1500.00 to cover the consultant(s) fees for the review of the BDZ Inc. (Old Town Barns).

**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 2016062  
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:

<u>Organization</u>	<u>Location Requested</u>	<u>Date(s)</u>	<u>FEES WAIVED</u>
Pawling Beekman Roller Hockey	Flood Rink * INS needed	5/1 – 10/31/16	Yes
Pawling Men’s Softball	Softball Field	4/16 – 9/1/16	Yes, Lighting*
Pawling Center School District (2)	Lakeside Pavilion	6/10/16	Yes
	Lakeside Park	6/13/16	Yes
Ty Campbell Foundation*	Lakeside Park	6/26/16	Yes

**MOTION:** Supervisor Kelly

**SECOND:** Councilman DeRosa

Supervisor Kelly said he had a conversation with Mr. Campbell about having their event at a different location at Lakeside Park. Mr. Campbell is considering a different location, he will look around at the park and discuss it with the Foundation members. Mr. Campbell said they do want a bon fire and also asked about a potential waiver of the fees. Supervisor Kelly explained that there would be maintenance expenses and safety issues involved with a large event of this nature and there would need to be fees involved.

Councilman Johnson said he would not approve this event if it included a bon fire.

Councilman DeRosa agreed.

Supervisor Kelly said he did not want to hold up the other requests so this will be an approval of the Roller Hockey, Men’s Softball and Pawling Central School District requests. This will not be an approval of the Ty Campbell Foundation facilities use request. There is more discussion that needs to happen on this request.

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman Upham – “AYE”

Councilman Montemarano – “AYE”

Supervisor Kelly – “AYE”

**Resolution 201065**

**Award of Bid – Bundy Hill Road; Reclamation Project**

Whereas, the Town of Pawling has advertised for bids (RFP) for Bundy Hill Road Reclamation Project, and

Whereas, the Deputy Town Clerk conducted a “Bid Opening” on April 28, 2016, now, therefore, be it

Resolved, that the bid for the Bundy Hill Reclamation Project, based on the tabulation sheet presented by the Deputy Town Clerk, and the supporting letter form the Town Engineer Zarecki & Associates, is hereby awarded to Reclamation, LLC , in the amount of \$29,104.00 for the project associated with the referenced bid, and, be it, further

Resolved, that the Town Supervisor is hereby authorized to sign all the necessary documentation to award the contract to Reclamation LLC.

**MOTION:** Councilman Johnson

**SECOND:** Councilman Montemarano

**ROLL CALL VOTE:**

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

**Resolution 2016066  
Agreement with Dutchess County Department of Planning & Development as it pertains to  
NYSGML 239**

Whereas, NYSGML section 239 requires local municipalities to refer applications for certain planning & zoning actions to DC Department of Planning & Development for review, and

Whereas, NYSGML 239 further requires the County to assess all such municipal applications to the counties planning department which will designate the applications impact to be “county wide” or inter-community”, and,

Whereas, Dutchess County Department of Planning & Development is granting local municipalities the ability to enter into an Intermunicipal Agreement to remove certain applications from the required NYSGML Section 239 process, and,

Whereas, the only applications to be removed from the review of Dutchess County Planning & Development are:

- a) Administrative amendments (zoning amendments regarding fees, procedures, penalties, etc.)
- b) special use permits, use variances and area variance for residential uses
- c) renewal / extension of site plans or special permits that have no change from previous approvals, and

Whereas, the terms of such agreement will expire on December 31, 2016 and will be extended automatically for a period of five (5) years unless terminated by either party with 30 days notice prior to the end of any term, now, therefore, be it

Resolved, that the Town Board hereby agrees to the terms of the Intermunicipal Agreement of local referral of NYSGML 239 and authorizes the Town Supervisor to sign such agreement.

**MOTION:** Councilman DeRosa  
**SECOND:** Councilman Johnson

**ROLL CALL VOTE:**

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

## **FURTHER BUSINESS**

### **PART TIME SUMMER HELP FOR BUILDINGS & GROUNDS DEPARTMENT**

Supervisor Kelly said Wendel Weber, Supervisor of Buildings & Grounds has asked the Board to approve the part time summer help for this season. He would like to hire Aiden King again. This is already in the budget.

Supervisor Kelly made the motion to hire Aiden King as part time summer help for the Buildings & Grounds Department, seconded by Councilman Upham, motion passed unanimously.

### **PUBLIC COMMENT**

Peter Cris, President of the Chamber of Commerce, reminded everyone about the May 24<sup>th</sup> meeting regarding the sewer expansion at the Pawling Fire House. All are invited to attend.

Betsy Montgomery said she received a notification from Dutchess County about the Supervisor's and Mayor's meeting regarding grants available through the County. There is no matching local requirement and she wondered if the Town was pursuing any of those.

Supervisor Kelly said the grant came out last week and he has not distributed it to the Board yet. The Town will pursue any and all options available.

The motion to adjourn was made by Supervisor Kelly at 8:17 PM, seconded by Councilman Johnson, motion passed unanimously.