

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM August 9, 2017 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Upham, DeRosa, Montemarano, Johnson and approximately 23 interested citizens.

PUBLIC HEARING: ZONING CHANGE: REZONING OF PARCELS INTO THE HIGHWAY BUSINESS ZONE

Supervisor Kelly explained that the public hearing for the rezoning of parcels into the Highway Business Zone was left open at the July 12, 2017 meeting, and he would reopen it now. He deemed the public hearing open.

Mr. Clingerman said the Board was kind enough to accept a letter from him, which he appreciated and they gave him some clarification. He understood that Councilman DeRosa was speaking to Kevin Gardiner and some others over the weekend about how out of the seven properties involved, five might not have their taxes increased immediately as a result of the HB rezoning. He was looking for clarification on that.

Supervisor Kelly said he has had extensive conversation with Town of Pawling Assessor Mr. Boryk and he understood that Mr. & Mrs. Clingerman had also spoken with Mr. Boryk. Supervisor Kelly said it is his understanding from conversations with Mr. Boryk that there are two properties that are facing Route 22 and they will be the most impacted and those two property owners are the ones who asked the Town to look into this matter. Mr. Boryk told him that the other residential units are far enough off the road that the visual impact of a commercial based business is minimal to none but they would be able to conduct businesses allowed in the HB zone in their area if they so choose to. Supervisor Kelly said Mr. Clingerman's property is far enough back that he would be considered in the HB zone but Mr. Boryk felt confident enough that there would be minimal to no impact to the Clingermans. Mr. Boryk did not want to put that in writing because there are a lot of mitigating factors that go against taxes and assessments and it comes down to the equalization rate from New York State.

Councilman DeRosa said he spoke with Mr. Boryk a few times also because he always thought that the taxes wouldn't automatically go up but he was wrong because it could automatically go up. Mr. Boryk did an inspection of the area and reviewed the properties and felt that because there was so much still available on Route 22, the residential property would probably not be used for commercial in our lifetimes. The Town is really planning for the future in changing the zoning. Therefore, Mr. Boryk felt the assessment would not go up on the Clingerman property unless the use of the property was changed from residential to commercial. So the five residential properties should not be increased unless the use is changed to commercial.

There were no further comments and the public hearing was closed.

PUBLIC COMMENT ON AGENDA ITEMS

Supervisor Kelly opened the meeting for public comment on agenda items and there were none.

MINUTES

Supervisor Kelly made a motion to approve the minutes of July 7, 2017, July 12, 2017 and July 21, 2017, seconded by Councilman Upham, motion passed unanimously.

RESOLUTIONS

Resolution 2017081 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 2017941 through 2018063, 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 \$221,132.84.

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 2017082
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 \$2,256.40 for the period of May 1, 2017 through July 31, 2017 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 2017083
Facilities Use Request

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

Pawling Democrats Janet Couch	Lathrop Building Lobby 7:30-9pm	First Thursday each month WAIVED
Pawling HS Girls Tennis James Agostinelli	Lakeside Park Tennis Courts 2:30-6:30pm	2017-2018 School Year WAIVED
Pawling Central School Cross Country Lana Hickey/John Bellucci	Cross Country Course Lakeside Park 2:30-6:30pm	2017-2018 School Year WAIVED
Pawling HS Golf Team Don Uttes/John Bellucci	Dutcher Golf Course 6pm – 9pm	2017-2018 School Year WAIVED
Pawling HS AP Testing Helen Callan	Lakeside Lathrop Building	5/7/18 – 5/18-18 WAIVED
Pawling Soccer Club Mark DelBalzo	Town Park Soccer Fields 8am – 8pm	9/1/17 – 11/30/17 WAIVED

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 2017084
Acceptance Justice; Annual Audit Reports**

Whereas, the Unified Court Act requires that Town Justices annually provide their court records and dockets 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 Reports from Justice Daniels and Justice Zelazny for calendar year 2016 on July 27, 2017 and made said reports available to the Town Board members, 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, August 9, 2017, 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”

**Resolution 2017085
Movie Shoot / Facilities Request**

Whereas, the Town owns property where Paramount Studios wants to shoot a movie, and

Whereas, Paramount Studios has some requests regarding these Town owned properties, and

Whereas, Paramount Studios insurance is pending and documentation requirements per Town policy, now, therefore, be it

Resolved, that the Town Board hereby grants the use of certain sections of Lakeside Park by Paramount Studios on and around the Dodge Road area from August 10, 2017 through October 31, 2017, and be it further

Resolved, that Paramount Studios has requested and is hereby approved to allow the grass and vegetation on the sides of Dodge Road (between West Dover Road and the Roller Hockey Rink / Baseball Fields) to be non-mowed, the Hiking trail behind the “Farm House” to be non-mowed, the interior roadway between Dodge Road and the “Barn” to be non-mowed, the ability to add and remove props to the “Farm House”, to CLOSE Dodge Road for a certain day (with proper notification of at least 10 days to the Town), and be it, further

Resolved, that Paramount Studios will return the grass areas within the park to its normal cutting height as set by the Head of Buildings & Grounds for the Town, the Farm House will be returned to the Town in the condition of August 10, 2017, and, be it, further

Resolved, that Paramount Studios will compensate the Town of Pawling the fee of \$2,500 dollars for the use for certain sections of Lakeside Park as stated within this resolution, Paramount will cover all and any costs of mowing and clippings removal of the lawn(s), trails, and interior roadways of Lakeside Park and return these sections to the Town as of its condition of August 1, 2017.

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 2017086 NYS Route 22 Rezoning to HB (Highway Business) District SEQRA determination of Non-significance, and adoption and filing of the local law

Whereas, the Implementation Committee exists as an advisory committee to the Town Board of the Town of Pawling; and has recommended changes to the Town’s zoning and other planning concerns, based on objectives, goals and strategies as set forth in the Comprehensive Plan Update (CPU), directly to the Town Board; and

Whereas, the Implementation Committee has recommended that the Code of the Town of Pawling, Chapter 215 shall be amended corresponding to Article III, Section 215-5 Zoning Map. Specifically, the zoning map shall be revised to show that approximately 14.02 acres of land on the west side of New York State (NYS) Route 22 consisting of seven (7) parcels now located in the R-1 (1-Acre Residential) zoning district will be rezoned to a commercial designation, the HB (Highway Business) zoning district; and

Whereas, the Implementation Committee conferred with the Town of Pawling Planning Board about the proposed rezoning the HB district given the Planning Board's knowledge of the ongoing land development within the community; and

Whereas, the Town Board has considered the recommendation of the Implementation Committee as set forth in the proposed local law; and

Whereas, the parcels are under consideration for a zoning change to a business district due to the following site characteristics: lot frontage on Route 22; location immediately south of the MBI (Mixed Business Industry) zone; and across Route 22 from the PDD (Planned Development District), a mixed use zone with links to nearby nonresidential zoning and development; and land with no or few environmental constraints such as wetlands, floodplains, bedrock outcrops, etc.; and

Whereas, an expanded Short Environmental Assessment Form (Short EAF) Part 1 with attached narrative, and a map has been prepared to address adoption of the proposed rezoning as the "Proposed Action" pursuant to 6 NYCRR Part 617, New York State Environmental Quality Review Act (SEQRA) regulations; and

Whereas, a Short Environmental Assessment Form (Short EAF) Parts 2 and 3, regarding Impact Assessment and Determination of Significance, respectively, which refers to the Short EAF Part 1 and narrative, has been prepared to address adoption of the proposed rezoning as the "Proposed Action" pursuant to 6 NYCRR Part 617, SEQRA regulations; and

Whereas, on June 16, 2017, the Town of Pawling Town Board took the following actions during its review pursuant to 6 NYCRR Part 617 of the implementing regulations of Article 8 of the ECL, the New York State Environmental Quality Review Act (SEQRA):

- classified the Proposed Action as an Unlisted Action;
- declared its intent to be Lead Agency;
- determined a coordinated review would be conducted; and
- authorized the circulation of a notice of its intent, the local law about the proposed rezoning, the Short EAF map and narrative, to involved and interested agencies; and

Whereas, on June 16, 2017, the Town of Pawling Town Board set a public hearing on the proposed zoning amendment for Wednesday, July 12, 2017 at 7:00 p.m.; published a notice of the hearing in accordance with the NYS Town Law and the code of the Town of Pawling regarding zoning amendments; and made copies of the local law for the proposed rezoning and related materials available at town hall; and on the town's website; and

Whereas, the Town of Pawling Town Board sent notices about the public hearing for the HB rezoning to owners of the properties to be rezoned; and to owners of properties abutting and within 300 feet of the parcels to be rezoned; and

Whereas, on July 12, 2017, the Town of Pawling Town Board held the public hearing; and then the hearing was continued to August 9, 2017, with a timeline to accept written public comments until August 9th; and then the hearing was closed on August 9th; and

Whereas, the proposed HB rezoning, and related materials, was referred to the Pawling Planning Board; the Dutchess County Planning Department (DCPD) in accordance with the NY Town Law section 265; Pawling Zoning Article VIII; and General Municipal Law section 239-m; and

Whereas, a notice with a copy of the local law about the proposed rezoning and related materials was sent to the Clerk of the Town of Patterson, NY; and the Putnam County Planning Department, in accordance with the NY Town Law section 264 and 265; and

Whereas, a referral response, dated July 13, 2017, was received from the DCPD, with the recommendation that the Board rely on its own study of the facts in consideration of the DCPD comments; and no comments were received from the Town of Patterson or Putnam County; and

Whereas, the Town Board has considered the July 13, 2017 comments from the DCPD; and notes the following:

- The potential for a feeder road connection between Old route 22 and Lois Lane may be feasible; and should be addressed during Planning Board review of any future land development of the parcels proposed for HB rezoning as per zoning section 215-25;
- The recommendation for rear and side yard buffers between the parcels proposed for HB rezoning and adjacent residential parcels is consistent with zoning section 215-30, B.; and these landscaped buffer requirements should be addressed during Planning Board review of any future land development; and
- Each of the proposed HB parcels has frontage on Route 22; and there is potential for a feeder road. So commercial vehicles servicing the proposed HB parcels, if later developed, would be unlikely to use Fenwood Drive in the residential area to the west. Yet, a prohibition of access to this residential area may be implemented by the Planning Board during site plan review of any future development by requiring signage and appropriate access design as per review considerations in section 215-47, G.; and

Whereas, a referral to the Town of Pawling Planning Board for an advisory report resulted in a response, dated July 10, 2017, wherein the Planning Board expressed agreement with the proposed HB rezoning;

Whereas, the Town Board has followed the necessary procedures in the planning, zoning and environmental review, in accordance with the Town Law of the State of New York, the Town's local laws and as Lead Agency pursuant to the SEQR regulations; and

Whereas, the Town Board has considered the local law for the proposed HB rezoning, map and Short EAF Part 1 and narrative with the recommendations of the Implementation Committee, the Town Planning Board and the DCPD; and Short EAF Parts 2 and 3 prepared by its planning consultant;

NOW THEREFORE BE IT RESOLVED, that pursuant to the SEQR regulations, 6 NYCRR Part 617, the Town of Pawling Town Board, as Lead Agency, has determined that the proposed Action will not have a significant effect on the environment and a Draft Environmental Impact Statement need not be prepared (See Short EAF Part 3, checked box); and relies on the reasoning set forth as text in the Short EAF Part 3, Determination of Significance section (reasoning for a Negative Declaration) to support its determination of non-significance; and

Be it further resolved, that the Town Board relies on the pertinent reasoning in the Short EAF Part 3 form to support its Negative Declaration including: consistency with Pawling's CPU objectives; links between the parcels to be rezoned and nearby nonresidential zoning and development; land along the Route 22 core area with no or few environmental constraints; and protection provided by Pawling's existing land development regulations of the Town's natural, scenic, cultural and other environmental resources; and community character as well as other aspects of the environmental review of the proposed action in its consideration of the proposed HB rezoning; and

Be it further resolved, that the Town Board finds that the proposed Highway Business (HB) rezoning, considered along with the recommendations of the Implementation Committee, the Short EAF narrative including a zoning analysis provided by the town's planning consultant, and the comments of the Planning Board, are consistent with the CPU objectives and Greenway Connections; and

Be it further resolved, that the Town Board hereby adopts and enacts the proposed HB Rezoning as a zoning amendment to the Code of the Town of Pawling Chapter 215, Zoning, as set forth in Local Law No. 1 of 2017, as prepared May 26, 2017; and

Be it further resolved, that a copy, or an electronic version as appropriate, of the SEQR Negative Declaration, as set forth in Short EAF Part 3, with the adopted local law containing the Town's code amendment, shall be filed with the Town Clerk; and

Be it further resolved, that printed copies of the SEQR Negative Declaration, as set forth in Short EAF Part 3, with the adopted local law containing the Town's code amendments, will be available at town hall; and electronic versions of the SEQR Negative Declaration, as set forth in Short EAF Part 3, and zoning will be available on the town's website; and

Be it further resolved, that the Town Board directs the Town Clerk to cause a copy of the law to be filed with the Secretary of State and a summary of the adopted local law shall be published in a newspaper of general circulation in the town; and

Be it further resolved, that the Town Board directs the Town Clerk to cause a copy of the law and a map to be sent to the Dutchess County Planning Department (DCPD) to request that the Town's zoning map be updated; and

Be it further resolved, that this resolution shall take effect immediately; and the adopted local law shall take effect immediately upon filing with the Secretary of State.

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 2017087
Whaley Lake Dam; Construction Administrative Services

Whereas, the Town has retained the engineering services of Fuss & O'Neill for the design, permitting, and construction drawings of the reconstruction / renovations to the Whaley Lake Dam, and

Whereas, the reconstruction of the dam has been awarded to Winn Construction and the Town needs to have engineering oversight, and

Whereas, Fuss & O'Neill has provided stellar guidance to the Town during this entire process and has submitted a proposal of oversight which meets the NYSDEC inspections points requirements for a project such as the Whaley Lake Dam, now, therefore be it

Resolved, that the Town board hereby approves the agreement with Fuss & O'Neill for Engineering Services during the construction period of the dam's rehabilitation and authorizes the Supervisor to sign such agreement with Fuss & O'Neill.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

Councilman Upham asked how often Fuss & O'Neill would be inspecting.

Supervisor Kelly said there will be multiple inspections per NYS DEC regulations.

Councilman DeRosa felt that Town Engineer Zarecki & Associates should do some inspections as they are closer and would charge less for travel. It would be cheaper to the dam district as there would be less travel charge.

Councilman Johnson said while Mr. Zarecki was involved early on in the project, the intimate knowledge of the construction and drawings has been done by Fuss & O'Neill. He didn't think Fuss & O'Neill would have someone else do reports they are ultimately responsible for.

Councilman DeRosa said this is done all of the time on large construction jobs. He is a taxpayer in the dam district and he is looking to save money any way he can. He felt it was a disservice to pay someone for travel time when there are qualified people here that could do some of the work.

Supervisor Kelly said he would bring it up to Fuss & O'Neill and see if they would consider it.

ROLL CALL VOTE:

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

**Resolution 2017088
Owners Representative – Whaley Lake Dam**

Whereas, the Town has entered into a construction project at the Whaley Lake Dam, and

Whereas, in the best interest of the Town and the Dam District residents, the Town shall have an “Owners Representative” (Rep), which is a person that understands all aspects of a large construction project, such Rep shall work directly between the General Contractor(GC), the Engineer for the Town, and the Town Board to: 1) Keep the Town Board and the residents updated on the schedule of the Project, 2) Communicate between the GC on the schedule of work, progress, and completion of each task. 3) To be the Town’s “On-Site” manager of the project for the duration of the project, now, therefore, be it

Resolved, that the Town Board hereby authorizes the Town Supervisor to draft (with the help & insight of the board members) and post an opening for an Owner Representative for the Whaley Lake Dam Project, to collect and set up interviews (with 2 board members) with such applicants, and be it, further

Resolved, that the Town Board will hold a special meeting to select such Owner Representative at a future date.

MOTION: Supervisor Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

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

Supervisor Kelly said Congressman John Faso has gone before Congress to apply for funding for the Whaley Lake Dam. The Town could be eligible for three million dollars.

Resolution 2017089
Litigation and Tax Certiorari

Whereas the Town Attorney for the Town has requested that the law firm of Stenger, Roberts, Davis, and Diamond be retained to assist him with this matter as they are very experienced with this type of litigation, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby agrees to retain the law firm of Stenger, Roberts, Davis, and Diamond to assist the Town Attorney with regards to the above matter.

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

Councilman DeRosa said the transfer station is fully staffed with attendant’s who are now turning the people away. There are a few people who refuse to put the sticker on their car and, when the attendant’s try to stop them, they drive in and dump their garbage. He didn’t know what the Board wanted to do about that. He felt a letter should be sent to these residents saying they will not be sold a sticker next year.

Councilman Johnson suggested for next year, each resident sign a document saying they agree to abide by the rules and laws of the Town, which include having the sticker affixed to their vehicle. Councilman Johnson suggested buying shirts and/or hats for the transfer station attendants.

Councilman DeRosa said that could work for next year but this year, he suggested they be sent a letter.

Councilman Johnson made a motion to outfit the transfer station attendants with a uniform, seconded by Councilman DeRosa, motion passed unanimously.

Councilman DeRosa felt that brush should be eliminated next year. If we are not going to go to a per bag fee or per weight fee, he felt the Board should think about some way to change a commercial sticker to a different price. The way it is set up now is not fair and equitable.

Councilman Johnson suggested a senior discount be looked at.

Councilman DeRosa said there is an electrical problem in addition to the repairs that need to be made to the compactor. He said the other problem is with the truck.

Councilman Johnson said the Town having its own vehicle is more economical then having the trash carted out, which is much more expensive.

Supervisor Kelly said he would look at the price of a truck and bonding and bring it to the Board at the September meeting for discussion.

PAYROLL CONTRACT

Supervisor Kelly said for the past three months, he has been discussing outsourcing payroll. He interviewed another firm on Monday called GTM. The three finalists were ADP, Paychex and GTM. Supervisor Kelly said he and Andrew Forman, Town Bookkeeper are recommending Paychex as a vendor. He would like the support of the Board to outsource payroll. There will be savings in the 2018 budget.

Supervisor Kelly made a motion to authorize the Supervisor to initiate a contract with Paychex for payroll and time and attendance, seconded by Councilman Johnson.

Councilman DeRosa asked for the numbers.

Supervisor Kelly said ADP was \$8,383.00, Paychex was \$8,100.00 and GTM was \$7,800.00 but was not a user friendly system. He said this would be an eighteen month contract with a 30 day clause to get out of the contract. He said there would be savings in the 2018 budget.

The motion passed unanimously.

INDEPENDENT AUDITOR

Supervisor Kelly said he wanted the Board to know he is working with a firm to do an independent audit. The Town has a new Bookkeeper and he wanted to make sure everything is in order.

AMNESTY PROGRAM

Councilman DeRosa said the Board reinstated the amnesty program that the Town conducted two years ago. It was set up the exact same way. It has come to his attention that a couple of people have come in with after the fact building permits expecting to be part of the amnesty program. This was not included in the first amnesty program and he asked the Board if they wanted the after the fact building permits to be included in the amnesty program. He said he would like to see it included in the current program.

Councilman Johnson felt this was to bring everyone into compliance.

Supervisor Kelly was concerned about adding the after the fact building permits to the amnesty program because most people know what they did. It is a major safety concern.

Councilman Johnson said he would be in favor of adding this but only until the end of the year. He suggested the Town consider a legalization fee for after the fact building permits or something that strengthens the penalty.

Councilman DeRosa made a motion to extend the after the fact building permits into the amnesty program for the remainder of the year exclusively for this year, seconded by Councilman Johnson, motion passed unanimously.

GOLF COURSE

Councilman Johnson said he has been speaking with Sean Cunningham, manager of the golf course and he has a brilliant marketing mind. He has great ideas for the golf course and has come up with a list of ideas for consideration. He would like the Board's blessing on letting him institute a couple of changes.

Supervisor Kelly said he had no problem letting him test things for this year and see what happens.

Councilman DeRosa agreed, saying Mr. Cunningham is doing a good job.

PAWLING CENTRAL SCHOOL DISTRICT/TOWN TENNIS COURTS

Supervisor Kelly said he has had discussions with Dr. Ward, Superintendent of Pawling Central School District and Wendel Weber, Supervisor of Buildings & Grounds about the school using the Town's tennis courts. The school is willing to supply manpower to maintain the courts and get them ready for the season. He suggested Mr. Weber and Glen Fryer from the school district talk and see what they can come up with.

Supervisor Kelly made a motion to engage the Pawling Central School District in a shared services agreement with the Town of Pawling based on the recommendation of Wendel Weber, Supervisor of Buildings & Grounds who will meet with Glen Fryer, PCSD Facilities Director to come up with an agreement that will be at a zero increase cost to the Town of Pawling for the use of the tennis courts by the tennis team, seconded by Councilman Johnson, motion passed unanimously.

PUBLIC COMMENT

John Daley, Highway Superintendent said regarding the movie shoot on Dodge Road, he began his annual mowing yesterday. The second thing he wanted to mention is that Onondaga County has a bid on a roll off out right now.

Alfred Greve, resident from 1705 Route 292, Holmes said Councilman DeRosa has asked him to contribute his data for the transfer station and he hasn't pulled it all together yet. He uses Unionvale for comparisons for what we have in Pawling. Unionvale is a good comparison because they are a similar sized town. Unionvale operates at a significantly lower cost than Pawling. He explained the comparisons at length.

Supervisor Kelly asked Mr. Greve to submit his detailed comments in writing.

Drew Montgomery, resident of the Village of Pawling, asked Supervisor Kelly if he got a working title for the movie or a time period of when the movie is taking place.

Supervisor Kelly said he did have the working title but was not allowed to release it. He did not get any set or movie information.

Mr. Montgomery said a movie was filmed in his neighborhood in Brooklyn and it took place in Boston so we may not get any publicity for this.

Supervisor Kelly said there will most likely be a credit at the end of the movie.

Harvey Matcovsky asked if Fuss & O'Neill would be the construction manager of the Whaley Lake Dam job. He did not understand the responsibilities of an owner's representative.

Supervisor Kelly said no, they would be the engineer of oversight and construction administration services. The General Contractor will be Winn Construction and Fuss & O'Neill will oversee any projected change orders and approve them but they will also go through the owner's representative. The owner's representative is there to be on the job every day and make sure the job is on schedule. The owners' representative answers and reports to the Town Board.

Mr. Matcovsky asked if the Stenger firm had been hired permanently as a certiorari attorney for the Town or as a one shot deal.

Supervisor Kelly said for this year and only as needed.

The motion to adjourn was made by Supervisor Kelly at 8:10 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk