

Supervisor David P. Kelly opened the Regular Meeting of the Town Board of the Town of Pawling at 7:00 PM October 11, 2017 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Upham, DeRosa, Montemarano, Johnson and approximately 18 interested citizens.

Supervisor Kelly opened the meeting with a moment of silence to remember Irwin “Brud” “Coach” Coombs.

MINUTES

Supervisor Kelly made a motion to approve the minutes of September 6, 2017 and September 13, 2017, seconded by Councilman Johnson, motion passed unanimously.

CONSENT AGENDA

**Resolution 2017096
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 20180276 through 20180409 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 \$182,697.04.

**Resolution 2017097
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 \$ 14,475.25 for the period of July 1, 2017 through September 30, 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 #2.

**Resolution 2017098
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 High School	Lakeside Park	10/17/17
Phyllis Chadwick	Grounds / 8:30am-12:30pm	WAIVED

Christ Church Nursery Camille Ludington	Lakeside Park Grounds / 10am-12pm	10/14/2017 WAIVED
Pawling Republican Committee Vincent DeMarco	HWLCA 12pm – 9pm	10/25/2017 WAIVED

**Resolution 2017099
Reappointment- Fire Commissioner**

Whereas, the Pawling Fire District is overseen by the Board of Fire Commissioners that are appointed jointly by the Town of Pawling and Village of Pawling, and

Whereas, the Town of Pawling Representative Commissioner Terrell Muller has served many years as a commissioner and also has served as Chairman of said Board, and

Whereas, the current term of Terrell Muller expires on December 31, 2017, and

Whereas, Terrell Muller has expressed an interest in continuing service to the Board of Commissioners, now, therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby reappoints Terrell Muller to a five (5) year term ending on 12/31/2022.

**Resolution 2017100
Groundskeeper, Building & Grounds**

Whereas, the Head of Buildings and Grounds, in order to best care for the facilities in the Town of Pawling, has requested that Trevor Wendover’s title and duties be changed from Laborer to Groundskeeper, and

Whereas, Dutchess County Human Resources has stated that we can proceed with such a change, and therefore, be it

Resolved, the Town Board hereby approves the appointment of Trevor Wendover to Groundskeeper.

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

**Resolution 2017102
Highway Department Truck Bond**

Whereas, the Town of Pawling Highway Superintendent has recommended the acquisition through the use of contracts led by Onondaga County, a political subdivision of New York State payment to General of Municipal Law §103(16) to the Town of certain machinery, equipment and vehicles to be used in the operation of the Highway Department; now, therefore be it

Resolved, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Pawling, Dutchess County, New York, as follows:

SECTION 1. The purchase for the Town of Pawling of certain machinery and apparatus, for construction and maintenance for use by its Highway Department, to be used in the operation of its Highway Department is hereby authorized at a maximum estimated cost of said purchase, including preliminary costs and costs incidental thereto and financing thereof of \$166,912.72 and such amount is hereby appropriated therefore.

SECTION 2. It is hereby determined that said purposes and object or purpose as described in Subdivision 28 of section 11.00 of the Local Finance Law and the probable usefulness of said purchase is 15 years.

SECTION 3: The plan for financing in part, such maximum estimated cost, is by the issuance of \$166,912.72 serial bonds of said Town hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law.

SECTION 4: It is hereby determined that each of the aforesaid purposes constitutes a Type II action as defined under the State Environmental Quality Review Act 6 NYCRR Part 617, which -2- The Town has determined under SEQRA not to have a significant impact on the environment.

SECTION 5: It is hereby determined that the maximum maturity of the serial bonds herein authorized will not exceed five (5) years and that no down payment is required pursuant to the provisions of Section 107.00 of the Local Finance Law.

SECTION 6: The faith and credit of said Town of Pawling, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town of tax sufficient to pay the principal of an interest on such bonds as the same become due and payable.

SECTION 7: Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such note, is hereby delegated to the Town Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Town Supervisor, consistent with the provisions of the Local Finance Law.

SECTION 8: All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Town Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Town Supervisor shall determine consistent with the provisions of the Local Finance Law.

SECTION 9: The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of publication, or
3. Such obligations are authorized in violation of the provisions of the constitution.

SECTION 9: This resolution, shall be published in summary form in the Poughkeepsie Journal, which is hereby designated as the official newspaper of said Town for such purpose together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

SECTION 10: The resolution is subject to permissive referendum.

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

HOLMES WHALEY LAKE CIVIC ASSOCIATION BUILDING

Supervisor of Building & Grounds Wendel Weber explained that the fire suppression system has been installed at the HWLCA and he is waiting for the final inspection. All of the work that was required to be done at the HWLCA has been done. Once the final inspection is done, all obligations will have been met. The building can now be rented to the public for parties and the Town can gain the revenue.

Supervisor Kelly said he sent a letter to the HWLCA letting them know that the Town is not being notified of events at the building and they are required to notify the Town of all events happening at that building.

2018 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

Supervisor Kelly made a motion to authorize a joint shared service project with the Village of Pawling of the extension of West Main Street sidewalks and a handicapped accessible bathroom at Murrow Park, a joint project with the Village of Pawling with the Village being lead agency, seconded by Councilman Upham, motion passed unanimously.

WHALEY LAKE DAM/OWNERS REPRESENTATIVE

Supervisor Kelly appointed Councilman DeRosa and Councilman Johnson to form a committee to conduct interviews for the Owner’s Rep for the Whaley Lake Dam project, with the candidates that were short listed. He asked that this be done as soon as possible.

Supervisor Kelly made a motion to authorize the Supervisor to hire an individual that will come on the recommendation of the Interview Committee for the Owner’s Representative for the Whaley Lake Dam project, seconded by Councilman Johnson, motion passed unanimously.

SCHEDULE PUBLIC HEARING/2018 BUDGET

Supervisor Kelly made a motion to set the public hearing for November 1, 2017 for the 2018 budget, seconded by Councilman Johnson, motion passed unanimously.

SULLIVAN DATA CONTRACT

Supervisor Kelly made a motion to authorize the Supervisor to sign the contract with Sullivan Data for 2018 for IT management, seconded by Councilman Johnson, motion passed unanimously.

2016 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT WITH VILLAGE OF PAWLING/LAKESIDE PARK ACCESSIBILITY IMPROVEMENTS

Supervisor Kelly said the Board received an email from Audra Murray from Dutchess County Planning & Development saying that Nikki Diggs Excavation is eligible to be awarded a contracted funded under the CDBG program. Zarecki & Associates did an evaluation and said that Nikki Diggs was the lowest bidder.

Supervisor Kelly made a motion to award the contract for the 2016 Community Development Block Grant to Nikki Diggs Excavation, seconded by Councilman Johnson, motion passed unanimously.

JOSEPH OLENIK CONSTABLE APPOINTMENT

Councilman Johnson made a motion to appoint Joseph Olenik as Town Constable as he has met with the Chief and passed all background checks, seconded by Supervisor Kelly, motion passed unanimously.

TOWN HALL FRONT ENTRANCE

Councilman DeRosa said Curt Johnson from Zarecki & Associates suggested putting a stencil on the inside of the glass over the doors saying "Town Hall". If the Board feels this is a good idea, he would follow up on it.

TRANSFER STATION

Councilman DeRosa said at the transfer station, there is a three phase converter that needs to be installed. The estimate was \$8,220.00 for installation. The funding for this will come out of operation and maintenance for the transfer station.

Supervisor Kelly made a motion for Wendel Weber, Supervisor of Buildings & Grounds to choose the lowest bidder for the project of installing the three phase electric at the transfer station, once all bids are received and have met the procurement policy of the Town of Pawling, seconded by Councilman Johnson, motion passed unanimously.

TRANSFER STATION STICKERS

Councilman DeRosa asked if the transfer station stickers should be ordered for next year.
The Board agreed that stickers should be ordered for 2018.

TRANSFER STATION ATTENDANTS

Councilman DeRosa said he and John Daley, Highway Superintendent met with the three transfer station attendants and he has asked the attendants to come before the Board at the workshop meeting to explain their experiences to the Board. He requested this item be placed on the next agenda.

DARYLS HOUSE SOUND TESTING

Councilman DeRosa explained that Daryl's House is conducting sound testing on October 14th at certain times and places around Town. This testing comes from their application for outdoor concerts at the site and mitigation of the sound that will be produced by the concerts. There is certain criteria the Planning Board has approved for this testing. He said he would be witnessing

the testing himself. The Planning Board will provide a report once this is complete and make a recommendation to the Town Board.

2018 TENTATIVE BUDGET

Supervisor Kelly made a motion to move the Tentative Budget to the Preliminary stage, seconded by Councilman Johnson, motion passed unanimously.

PUBLIC COMMENT

Vinny DiMarco congratulated the Board for the purchase of the new truck for the transfer station. Regarding the three phase system for the compactor, he asked if he could volunteer to help with this project.

Supervisor Kelly said Mr. DiMarco should speak with Wendel Weber, Supervisor of Buildings & Grounds about this and he will speak to counsel regarding the fact that Mr. Weber has already solicited bids for this project.

Mr. DiMarco suggested that the Town make its needs known by posting it on the Town's website so volunteers would know what is needed and they could volunteer to help with projects.

Harvey Matcovsky asked when the 2018 preliminary budget would be available to the public, he asked the status of the audit that is being done and when it would be available to the public, and he asked about the status of the current budget, is it in surplus or deficit.

Supervisor Kelly said the auditors are doing their due diligence, collecting information and the audit is in progress. Supervisor Kelly said the 2018 budget can be FOILED and it will be put on line now that it has been adopted to the preliminary budget. The current budget is solvent.

Bill Deitz from 27 Meadow Lane, Pawling said last year the budget was posted on line as a PDF copy, which he felt was hard to look at. He asked that the 2018 budget be posted in Excel format because it is better to look at and understand. He also requested an org chart, including a listing of positions and the amounts of payroll. In the spirit of having an open process, these would be very helpful.

Supervisor Kelly said he would check with the Comptroller's Office but he recalls that at a class, they said nothing should be posted in excel because the information could be manipulated. He is not in favor of posting the budget in Excel. When a PDF document is posted, it is locked and can't be changed.

Wendel Weber, Supervisor of Buildings & Grounds said he wanted everyone to know that the new carpet tiles will be installed on Monday.

WHALEY LAKE DAM

Councilman DeRosa said the dewatering of the Whaley Lake Dam has begun. He has been down there and it is a pretty nice operation and the job seems to be running smoothly.

Supervisor Kelly made a motion to close the meeting at 7:45 PM in honor of Irwin "Brud" "Coach" Coombs. Coach Coombs was a faculty member at the Pawling High School, teaching mechanical drawing and shop class for many years. He also coached football for many years, bringing the team to section championships. He was a Golf Commissioner, a member of the Lyons Club and the Jaycees, and also a father to many in Pawling. The motion was seconded by Councilman Johnson and passed unanimously.

Town Clerk