

Supervisor David P. Kelly opened the Workshop Meeting of the Town Board of the Town of Pawling at 7:00 PM December 6, 2017 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Upham, Johnson, DeRosa and approximately 20 interested citizens.

Supervisor Kelly said Councilman Mike Montemarano is not here this evening as he has resigned due to personal reasons. Supervisor Kelly said he asked Councilman Montemarano to come back on the Town Board on March 9, 2011 when there was a vacancy. He said Councilman Montemarano has done a lot for this town and will continue to do a lot for the Town.

Supervisor Kelly made a motion to accept the resignation of Michael Montemarano as Town Councilman, seconded by Councilman Johnson.

Councilman DeRosa said the new guys coming on will miss Councilman Montemarano because he was a big help to him when he came on the Board.

Councilman Upham said Councilman Montemarano was one of the finest people he has ever met, he is a terrific human being.

Councilman Johnson said Councilman Montemarano was perhaps one of the most detailed oriented people he ever had the privilege of working with. Councilman Montemarano was always very helpful on any project.

Supervisor Kelly said Councilman Montemarano is a great person and is great for this community. Councilman Montemarano started the volunteer program and has gotten a lot of work done because of that at zero cost to the taxpayers. We will always thank Councilman Montemarano for what he has done and will use him as a resource. He hoped the future administration and Board members will do that as well.

Councilman Johnson said we will keep Councilman Montemarano and his family in our prayers.

The motion passed unanimously.

## **RESOLUTIONS**

The Board discussed the proposed resolutions. Following discussion, it was agreed that the proposed resolutions would be placed on the December 13, 2017 Town Board meeting agenda.

## **DISCUSSION**

### **TRANSFER STATION FEES**

Councilman DeRosa said the transfer station attendants aren't budgeted in the operational cost in the original sticker cost for 2017. If the attendants are to continue every hour the transfer station will be open, which is 40 hours per week, even to have part time people there at \$15.37 per hour, it comes to almost \$40,000.00. In order to raise that in the sticker price for 2018, the increase would need to be \$40.00 per sticker. So either the sticker will have to be increased by \$40.00 or the Board will need to save on some of the services that are now provided. He said if the transfer station was open three days per week instead of four, approximately \$18,000.00 per year would be saved. The problem with that is that the person who works at the transfer station full time would then have to work for the Highway Department and go on that payroll for ten hours per week, which has not been budgeted. He felt \$40.00 was too high to raise the permit fee and suggested raising the fee \$20.00 per permit, which would cover the attendants working for six months of the year. At the six month point, the Board can see if more stickers are sold and analyze what is happening at that point, and he suggested no increase to the capital funding for the transfer station at this time.

Councilman Johnson said the amount for the attendants would be \$31,000.00. When approval for the attendants was passed, the Board specified they be paid out of the equipment and maintenance fund because they knew they wouldn't have the funding for that. He felt that the projected shortfall from that be transferred from that funding line so the transfer station doesn't have a shortfall. Going forward, a day a week for the transfer station should not be eliminated. He suggested raising the main sticker price \$25.00 and the secondary sticker \$5.00. The price for the transfer station permit is starting to get close to what Royal Carting would charge to pick the garbage up at your house.

Supervisor Kelly said when proposed not funding the transfer station in 2018 a little over a year ago, there was an uproar in this town, which spurred conversation. The residents want the transfer station to stay the way it is, open four days per week. For the prices to go up, it spreads the costs among the people who want the transfer station here. The Board hired the attendants for data collection, which is the reason he did not fund the transfer station attendants. If we are moving toward enforcement, that is a good thing but he wasn't sure we needed them up as much as they are working now. He would rather see the transfer station open four days a week and this conversation continue in the New Year with the new Board members and Supervisor. He agreed with Councilman Johnson to give this a six month pilot and see what happens. There is still a lot of work that needs to be done at the transfer station. It is all part of the puzzle.

Councilman Upham complimented Councilman DeRosa for all of the work he has done. He agreed with Councilman Johnson and Supervisor Kelly.

Councilman DeRosa felt the cost was less for the attendants to enforce transfer station rules than it was for constables. He felt that the rules of the transfer station should be discussed. He suggested limiting the loads of brush.

Supervisor Kelly said the Town Code may have to be changed to accommodate that change, which would take time. He suggested continued discussion on this issue.

Following further discussion, Councilman Johnson made a motion to set the fees for the 2018 transfer station permits at a \$25.00 increase on the first permit and \$5.00 on all subsequent permits, seconded by Councilman Upham.

Supervisor Kelly said the laws and rules that govern the transfer station should be amended as well.

The motion passed unanimously.

Supervisor Kelly requested from Chief Constable Mike Kelly that constables be available at the beginning of the year for enforcement.

Chief Constable Kelly said he would work with the constables on scheduling in the beginning of the New Year.

### **DOG CONTROL TRANSFER SERVICES CONTRACT**

Supervisor Kelly said he would like to talk about the dog control transfer services contract, which is a contract with the Dutchess County SPCA and the Town of Pawling, which the Town has had for many years. This is an annual contract.

Supervisor Kelly made a motion to allow the Supervisor to sign the dog control transfer services contract renewal with Dutchess County SPCA, seconded by Councilman Johnson, motion passed unanimously.

### **UNEMPLOYEMENT MATTER**

Supervisor Kelly said he wanted to update the Board that an employee who resigned in the beginning of this year to accept another job has filed for unemployment. NYS Dept. of Labor is going after the Town of Pawling to pay that person's unemployment. He contacted the Senator's office to help with this. The Town of Pawling has filed an objection to paying the unemployment for this employee.

### **LONGEVITY/PART TIME ELECTED OFFICIALS**

Supervisor Kelly said the Board has a longevity request from an elected official. Board members have a copy of the request letter. This is something that has been going on for quite some time. The elected official feels they are eligible for longevity payments. Back in 2007, this was discussed at a Board meeting and the Board agreed at that point that there was no action needed and this didn't fall under the parameter of this elected official. He would like to ask the Board to move forward next week to resolve this matter.

Councilman Johnson said he saw no reason to put this on the agenda. His comment in 2007 was if the Town has a policy and the policy states that longevity is for full time employees, there is nothing to discuss. He has the same comment at this time.

Councilman Johnson made a motion to reply to the elected official that they do not qualify as clearly stated in the Employee Handbook, seconded by Supervisor Kelly.

Councilman Upham said he would like to know what the argument is from that person's point of view.

Councilman DeRosa said the argument is based on what the Handbook says because the Handbook is against it.

Supervisor Kelly said they were told when they were elected sixteen years ago, they were told this is what the policy was.

Councilman Johnson said we didn't have that policy sixteen years ago, it was created within the last sixteen years.

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman Upham – “NAY”

VACANT

Supervisor Kelly – “AYE”

**PRESENTATION/WENDEL WEBER/SUPERVISOR OF BUILDINGS & GROUNDS**

Wendel Weber, Supervisor of Buildings & Grounds said he has been discussing replacing the greens mower for the golf course for the past couple of years and he has \$12,300.00 left in the budget this year, which he would like to apply to it. The cost is \$19,900.00 and he would use some of next year's funds to pay for the remainder of it. The mower is on State contract.

Councilman Johnson made a motion to authorize the Department of Buildings & Grounds to purchase the greens mower with leftover funds and balance through appropriated funds in the 2018 budget, seconded by Councilman DeRosa, motion passed unanimously.

**NYSEG: LED LIGHTING REPLACEMENT PROGRAM**

Wendel Weber, Supervisor of Buildings & Grounds said he has been in touch with NYSEG regarding the LED lighting program they have to change the lights in the buildings from florescent bulbs to LED. NYSEG is willing to pay part of the cost and get it done. The Lathrop building has the oldest lights and NYSEG is willing to give the most money for it, total will be \$27,000.00 and they are willing to pay 45% of that, and the Town would have to come up with \$14,800.00. NYSEG will also pay partially for other buildings but there is a percentage the Town would have to pay for those also.

Following discussion, Supervisor Kelly suggested the Board wait until next year to see what fund balance is and then decide whether or not to make this expenditure.

**NEW DOCKS @ LAKESIDE**

Wendel Weber, Supervisor of Buildings & Grounds said he has been discussing replacing the last section of docks at Lakeside Park. He received prices, including swim lanes and kick boards, in the amount of \$23,000.00 to \$25,000.00.

Supervisor Kelly said funding could come out of the Triathlon fund or Youth Development could be asked for a donation.

**REPAIR CURBING @ LAKESIDE**

Wendel Weber, Supervisor of Buildings & Grounds said Curt Johnson from Zarecki's office asked him about doing a change order for the concrete work being done at Lakeside Park in order to repair the other piece of curb where the new sidewalk will begin on the other side of the island. The cost would be \$1,183.00.

Following discussion, it was agreed that this work could be done in house at a lesser cost and this would be looked at further.

## **FURTHER BUSINESS**

Supervisor Kelly said he received an email from Pete Setaro from Morris Associates today regarding changes to the map plan and report for the new sewer district running down Route 22, which has been ongoing. He wanted the Board to know that they will begin to see language for the new sewer district in the near future. He just wanted the Board to be aware of it.

## **OWNER'S REPRESENTATIVE/WHALEY LAKE DAM**

Councilman Johnson said he and Councilman DeRosa have interviewed a number of people for the Whaley Lake Dam Owner's Rep position but two extremely qualified individuals from Pawling were also interviewed. He and Councilman DeRosa recommend hiring Vinny DiMarco to fill the position at the rate of \$50.00 per hour, not to exceed the budgeted total of \$50,000.00, seconded by Supervisor Kelly.

Councilman Johnson said the biggest difference was Mr. DiMarco's inherent knowledge of the dam, although both individuals were well qualified. He felt the Town would be well served with Mr. DiMarco.

Supervisor Kelly said there was a good pool of candidates.

Councilman DeRosa said Mr. DiMarco has been involved with the project all along and has inherent knowledge of the project. He is also a member of the district and he is well trusted in the neighborhood. He has excellent construction knowledge. Fuss & O'Neill will be the eyes and ears on the job and he felt hiring Mr. DiMarco was a good decision.

Supervisor Kelly said the duties need to be set so a meeting should happen mapping out these duties. This is not an authoritarian position, problems are to be brought back to the Board. He felt Mr. DiMarco was the right person for the position.

The motion passed unanimously.

## **WHALEY LAKE DAM PROJECT**

Councilman DeRosa said the Whaley Lake Dam project is moving forward and great progress has been made. They should have the coffer dams completed before Christmas.

Councilman DeRosa said he attended a Dutchess County Planning Federation Class for the relationship between the Comprehensive Master Plan and Zoning Code. It was a very good class. People commented that towns spend a lot of money on master plans and people don't use them. He also attended a safe routes meeting today, which is being done by volunteers from the Village and the School. It is a path that is going to run from Memorial Ave., up to the high school. He presented a map and explained the proposed pathway location. This project continues to move forward.

## **AFFIXING TRANSFER STATION STICKER TO VEHICLE**

Councilman DeRosa said it must be emphasized that the people who purchase the permits must affix the sticker to their vehicle. He felt that a copy of the rule should be handed out with the sticker.

## **UPHAM**

Councilman Upham thanked the Board, including Councilman Montemarano for all of their work. He appreciated it.

## **KELLY**

Supervisor Kelly said this could be his last Board meeting. He has a passion for the Appalachian Trail and National Parks and the outdoors. He has been asked to sit on the National Parks Services Board of Advisors and orientation is next Wednesday. Supervisor Kelly said he and Mrs. Kelly will be meeting with the Executive Director on Wednesday, December 13<sup>th</sup>, so it will be a family project. The National Park Service oversees all of the National Parks, he is assigned to the northeast region and will work his way up to the national board. He will be able to visit all of the national parks. This is a great continuation of his work here in Pawling, in the Legislature and the Village of Pawling. There is an empty seat on the Board and he is willing to help do

what needs to be done. The Board has had a great run for eight years, and he would like to continue on in some form. The Board doesn't always agree but they do the right thing for the people of the town. Councilman Montemarano has done things the right way. Supervisor Kelly said when he took over this town, there was zero fund balance. He is now leaving the incoming Supervisor approximately \$800,000.00 of fund balance to hold on to for a rainy day fund. He was always told to leave things better than you found them and he feels he did. He could not have done this with without his wife and he thanked Julie for her support.

### **PUBLIC COMMENT**

Peter Cris, President of the Chamber of Commerce echoed the Board's comments about Councilman Montemarano. He has known Councilman Montemarano for a very long time, personally and in business. His performance here on the Board has been outstanding. Councilman Montemarano is a gem of a human being and he is sorry he is not here. Mr. Cris said regarding tree lighting, he made a request of the Board and community for help with the tree lighting and the Town Board participated in terms of donating some dollars this year and hopefully in years to come in combination with the Village. As a result, the support from the community was overwhelming, which he is still impressed by. They will be able to pay all of their bills for this year and then some. He needed help putting up the tree in the Chamber building and thanked Wendel Weber, Supervisor of Buildings & Grounds and Vinny DiMarco for putting the tree up. This is the feeling that you have in this community, one of coming together and he hoped there was more of that on an ongoing basis. He congratulated Supervisor Kelly on his appointment, saying he was deserving of it, and noted that Supervisor Kelly would remain on the Executive Board of the Chamber of Commerce. He thanked everyone and hoped everyone would move forward in the New Year.

Vinny DiMarco thanked the Board for the appointment, he felt humbled. He will do the right thing for the Town and the community and give it his best and not let anyone down. He expressed his gratitude to Supervisor Kelly for the wonderful job he has done in many areas. This Town has flourished and he thanked Supervisor Kelly for his leadership in getting things accomplished. The Whaley Lake Dam is being rehabilitated due to Supervisor Kelly and the Board. He congratulated Supervisor Kelly on his appointment to the National Park Service. He said Supervisor Kelly is a good man and a good friend. Mr. DiMarco thanked Councilman Upham for his work for the Town. Mr. DiMarco wished Councilman Montemarano well and he also thanked John Daley, Highway Superintendent, saying he has always done a good job for the Town. Mr. DiMarco said he would be happy to help with the curbing repairs.

Supervisor Kelly said this week, the community lost Kent Johnson, who passed away. Mr. Johnson served on the Planning Board for over 40 years in the Town of Pawling. Mr. Johnson won many awards from Dutchess County and New York State for the Town. What you see in this Town was brought on by Mr. Johnson's vision, which was executed by his Board. Mr. Johnson had one goal and that was making the Town of Pawling the best it could be. We are saddened he has passed on. He made a motion to adjourn the meeting in honor of Kent Johnson 8:10 PM.

Seconded by Councilman Johnson. He added that Mr. Johnson met his wife on the Dutcher Golf Course, which he thought that was an interesting fact.

Councilman DeRosa said he served with Mr. Johnson on the Planning Board and Supervisor Kelly is right, when you look around this Town, what you see is because of Kent Johnson. He did a great job overseeing planning and zoning in the Town for forty plus years. He will be missed.

The motion passed unanimously.

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Town Clerk