

Supervisor James Schmitt opened the Regular meeting of the Town Board of the Town of Pawling at 7:00 PM June 13, 2018 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, McCarthy, DeRosa, Kelly and approximately 20 interested citizens.

MINUTES

Councilman Kelly made a motion to accept the minutes of 4/4/18, 4/11/18, 5/2/18, 5/9/18 and 5/23/18, seconded by Councilman DeRosa.

Councilman Kelly introduced an amendment to include 4/4/18, 4/11/18, 5/2/18 and 5/9/18 for approval, seconded by Councilman Johnson, motion passed unanimously.

Councilman Kelly made a motion to approve the 5/23/18 minutes, seconded by Councilman Johnson and passed with Councilman Johnson, Kelly and DeRosa voting in favor. Supervisor Schmitt and Councilman McCarthy were absent from the May 23, 2018 meeting.

CONSENT AGENDA

**Resolution 2018072
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 20181617 through 2018760, 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 \$ 688,023.26.

MOTION: Councilman Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”	Councilman DeRosa – “AYE”
Councilman McCarthy – “AYE”	Councilman Kelly – “AYE”
Supervisor Schmitt – “AYE”	

NON CONSENT AGENDA

**Resolution 2018073
Automotive Mechanic Vacancy Appointment**

Whereas, a vacancy for Automotive Mechanic has occurred in the Highway Department, and,

Whereas, after interviewing several candidates, the Highway Superintendent would like to fill that position with Michael Marini, therefore, be it

Resolved, that the Town Board approves Michael Marini to be a full time Automotive Mechanic with the Highway Department.

MOTION: Councilman Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilman Kelly – “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2018075
Part Time Bookkeeping Clerk Appointment**

Whereas, a part time Bookkeeping Clerk vacancy has occurred in the Bookkeeping Department, and,

Whereas, after interviewing several candidates, the Bookkeeper and Town Supervisor would like to fill that position with Genie Moschetta, therefore, be it

Resolved, that the Town Board approves Genie Moschetta to be a part time Bookkeeping Clerk with the Bookkeeping Department.

MOTION: Councilman Kelly

SECOND: Supervisor Schmitt

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilman Kelly – “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2018076
Transfer Station- Rules Amendment; Brush**

Whereas, the Town of Pawling operates a Transfer Station for residents who annually purchase a “Permit/ Sticker” to discard certain items as allowed by the rules, and

Whereas, the Local Law that sets such rules allows for amendments from time to time, and

Whereas, the Pawling Transfer Station currently accepts an unlimited amount of brush for residents with Transfer Station permits, and

Whereas, the Transfer Station Manager has recognized that the “Brush Pile” within the Transfer Station has grown in quantity and sheer size of the debris has become unmanageable, and

Whereas, the Town Board in discussions with the Transfer Station Manager has determined that a change is needed to the rules concerning the acceptance of Brush, and

Whereas, the current rules allow for the acceptance of an unlimited amount of brush which is extremely cost prohibitive and problematic for the Transfer Station, therefore be it

Resolved, that starting January 1, 2019, brush will be restricted to 4 inches in diameter by 10 feet in length and stumps are not accepted at the Transfer Station, and be it further

Resolved, that no contractors will be allowed to dump brush at the Transfer Station even if they are working for a resident that has a valid and current “Permit / Sticker”.

MOTION: Councilman Johnson
SECOND: Councilman Kelly

ROLL CALL VOTE:

Councilman Johnson – “AYE” Councilman DeRosa – “AYE”
Councilman McCarthy – “AYE” Councilman Kelly – “AYE”
Supervisor Schmitt – “AYE”

Resolution 2018077
Speed Limit Reduction Request

Whereas, Dutchess County maintains “County roads” within the Town of Pawling and the Town of Pawling maintains “Town roads” within the Town of Pawling, and

Whereas, Town residents that live along certain County and Town roads have requested that the Pawling Town Board reduce the speed limits on County and Town roads, and

Whereas, the Town Board must pass a resolution requesting that the Dutchess County Legislature and Dutchess County Public Works authorize and implement such review of speed limits on all of Pawling roadways, now, therefore, be it

Resolved, that the Pawling Town Board hereby requests that the Dutchess County Legislature and Dutchess County Public Works authorize the review for potential speed reduction on all County and Town roadways within the borders of the Town of Pawling.

MOTION: Councilman Kelly
SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE” Councilman DeRosa – “AYE”
Councilman McCarthy – “AYE” Councilman Kelly – “AYE”
Supervisor Schmitt – “AYE”

Resolution 2018078
Appointment - Bookkeeper

Whereas, the position of Town Bookkeeper is an appointed position serving for a term of six (6) months as of July 3, 2018 at the pleasure of the Supervisor of Town of Pawling and,

Whereas, the Supervisor of the Town of Pawling hereby recommends Andrew Forman, now, therefore, be it

Resolved, that Andrew Forman is hereby appointed Bookkeeper and compensated at the salary established within the approved Town of Pawling 2018 budget.

Councilman Johnson said the appointment of the Bookkeeper is strictly the Supervisor’s appointment and no resolution is needed.

Councilman Kelly made a motion to remove resolution 2018078 from the agenda, seconded by Councilman Johnson, motion passed unanimously.

Supervisor Schmitt said he is appointing Andrew Forman as the Bookkeeper until December 31, 2018.

DISCUSSION

TRANSFER STATION ATTENDANTS

Councilman DeRosa said at the Reorganizational meeting, the Board hired the transfer station attendants for six months so the Board must decide if they would keep them on. He felt the attendants should be kept on but the Board might consider possibly reducing and fluctuating their hours.

Councilman Johnson said he would be happy to work with Councilman DeRosa on this. He felt that the attendants have a place at the transfer station.

Councilman Kelly made a motion to authorize the positions to be maintained up to a status of 32 hours per week for the remainder of the year, seconded by Councilman DeRosa.

Following discussion, Councilman Kelly rescinded his motion and made a motion to retain the transfer station attendants up to 30 hours per week for the remainder of the year, seconded by Councilman Johnson, motion passed unanimously.

BUILDING INSPECTOR

Councilman DeRosa said he went to the NYSBOC meeting to try to solicit a new Building Inspector. He felt the Board should begin interviews right away.

The Board agreed.

COMMUNITY EVENT

Supervisor Schmitt said he has been working on a community Independence Day event with Peter Cris, President of the Chamber of Commerce, Village merchants and some Town employees. There was a meeting last night to go over security, parking and food. He wanted to get this before the Board tonight and hopefully move forward and offer something really good for the community.

Peter Cris, President of the Chamber of Commerce, said the meeting last night at the pavilion at Lakeside Park was attended by almost everyone who was invited, 17 individuals. He thanked everyone who did come, such as Supervisor Schmitt, Jessica Peterson, Wendel Weber and others. The event is coming up rather quickly, Sunday July 1st. As much as possible was pulled together last evening and it all seems doable. The next step is for the Board to approve whether they want to go ahead with it. That is based upon the proposed budget for the fireworks of \$7,000.00, which will be a 20 minute event at the end of the event. Some dollars are coming, some dollars are in hand and there are some pledges. He proposed a letter to go out to everyone based upon what the Board decides tonight. He believed they could cover the \$7,000.00 for the fireworks. Miscellaneous costs were discussed and included porta pottys, lighting and everyone has generously contributed their services and equipment to make this happen. If the Board approves this tonight, they can proceed to exercise the pledges and get the word out with the draft of the ad layout that was composed and send out the letter requesting dollars to fill the hole.

Supervisor Schmitt said the NYS Police will offer two State Troopers free of charge to be on foot inside the park and troopers in the area that evening will spend more time in the Village of Pawling and patrolling in the area of Lakeside Park. The time of the event will be 4 PM to 9 PM at Lakeside Park. Sheriff Anderson said he would give three Sheriffs for the duration of the event. The Board would have to work with Town Constables on the event and the Recreation Department wants to be involved also. He asked Mr. Cris to pull the Recreation Department in.

Mr. Cris said he didn't include the Recreation Department in the invitation to last night's meeting but he sent her an apology and told her about the meeting. She will be included going forward.

Councilman Johnson said there will need to be life guard coverage because there will be extra people in the water, extra gate staff will be needed, probably a Constable at the gate.

Mr. Cris said Everett White, Fire Chief, has said there is a plan in place for the water front. The fireworks will be over the lake and it will be contained in the pavilion primarily in terms of food, live music and Boy Scouts with events.

Councilman Johnson said this is why it is critical to include the Recreation Department and they could include the kids in the Interact Club. There are no additional monies in the Recreation Department's budget for any of these costs. The Constables may have money for the event but the Board would have to look at making sure they are able to take care of all of these expenses.

Councilman Kelly said for the Triathlon, the lawn area was used for parking.

Supervisor Schmitt said he worked with Everett White on the parking. The idea is that the park will become free from 4 PM to 9 PM. The Town would really only incur the expense of the additional constable coverage, additional cleanup, etc. so there is some expense the Town will incur.

Mr. Cris said the Village has offered help but he is not sure in what way. There will have to be an ambulance on site. He stated that the deadline for making the commitment to the fireworks company is June 22nd. So there isn't much time to get the money together. The package of fireworks applications has been submitted to the Building Department.

Following further discussion, Councilman Kelly made a motion to authorize the Chamber to host a Pawling Community Event on July 1st from 4-9 PM as a community event with the Town being the primary sponsor and authorizing the use of the park for such event under our insurance clauses allowable after review by our agent, seconded by Councilman Johnson.

Councilman Johnson asked if Councilman Kelly wanted to put something in saying providing the fireworks are covered by donation.

Councilman Kelly amended his motion to add only if the proper amount of funds are raised by the community for fireworks, seconded by Councilman Johnson, motion passed unanimously.

Lori Johnson, from Emery & Webb, Town's insurance agent, explained all of the insurance requirements to the Board.

TOWN ATTORNEY

Supervisor Schmitt said as the Town Board is aware, Town Attorney Bob Shadur submitted his letter of intent to resign to the Board on May 11, 2018 and it was accepted by the Town Clerk on May 14, 2018. He has contacted the counsel of the Association of Towns who said that a letter of intent to resign and a letter of resignation are one in the same.

Supervisor Schmitt made a motion to accept the letter of resignation of Town Attorney Bob Shadur, seconded by Councilman DeRosa, motion passed unanimously.

Supervisor Schmitt made a motion to hire a new attorney, several attorneys have been interviewed since the letter was received, and in the best interest of the Town moving forward, the Board is going to move away from a full time Town Attorney and go to adopting a firm to represent the Town. This will reduce the Town's cost in healthcare insurance, retirement, training and payroll benefits. He made a motion to hire Hogan and Rossi, who are extremely qualified and worked with the Towns of Patterson and Dover. They come very highly recommended by the neighboring Supervisors and they would be a valuable representation for the Town moving forward, seconded by Councilman Kelly.

Councilman Johnson said he is very happy with that firm and he liked the fact that in the past, there were a lot of things the Town had to farm out, and there would still be an extra charge for those things but at a far lesser rate.

Supervisor Schmitt said they have the ability to do things in house and the fact that they work with the towns north and south of us, it makes you feel better about the situation. And it is good for the community to take someone out of the retirement and healthcare system and have a firm that will annually have a contract to be negotiated, it puts the Town in a very good position moving forward.

Councilman DeRosa said during the interview, he discussed the fact that one of their attorneys has had experience with our Planning Board and has represented clients before the Planning Board on some pretty tough properties. They understand our environmental laws. He likes the idea that it is a bigger firm and there are different experts on different items in the one firm. He supported the recommendation.

Councilman Kelly said he agreed that moving to a firm reduces payroll expenses, no different than what previous administrations have done with say the Assessor. It reduces exposure.

The motion passed unanimously.

PUBLIC COMMENT

Vinny DiMarco thanked Supervisor Schmitt and Peter Cris for providing the Town with a wonderful night of fun.

Lou Musella said at the last meeting, Councilmen Johnson and McCarthy encouraged people send them comments by email. He asked if the emails would be part of the public record, as they could generate more discussion.

Councilman Johnson said he would be happy to share any information and answer any questions Mr. Musella might have.

Mr. Musella asked that executive session take place at the end of the meeting unless it pertains to something that is on the agenda.

Councilman Johnson said it is on the agenda. If it is at the beginning of the meeting, people can come a little later. The Board does try to do put it at the end whenever possible.

Helen Grosso asked about the arrangement to share the Town Assessor. She thought we had an arrangement already with Patterson.

Supervisor Schmitt said Assessors are shared among towns normally. He was in conversations with Hyde Park hoping to share the Assessor and Assessor's Aide. There are ongoing conversations and there are a lot of moving parts to that. Some of the conversations are how many towns are being covered and do those towns continue to be covered if this is taken on.

Mrs. Grosso asked how capping the cost with the law firm works.

Supervisor Schmitt said he spoke with other towns to see what they were paying. Also, while the firms were interviewed, estimates were received. There is a budget amount that is budgeted so the cost would stay within that amount, unless it is outside their normal scope of work.

The motion to adjourn was made by Supervisor Schmitt at 7:45 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk