

Supervisor James Schmitt opened the Regular meeting of the Town Board of the Town of Pawling at 7:00 PM July 11, 2018 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, McCarthy, DeRosa, Kelly and approximately 31 interested citizens.

Supervisor Schmitt opened the meeting by saying that the event at Lakeside Park was a nice event and there was a good turnout of approximately 600 people. He thanked the Chamber, the community, the Village merchants and Jessica Peterson for their work on the event.

MINUTES

Councilman Kelly made a motion to accept the minutes of June 6, 2018, seconded by Councilman Johnson, motion passed unanimously.

Councilman Johnson made a motion to accept the minutes of June 13, 2018, seconded by Councilman Kelly, motion passed unanimously.

CONSENT AGENDA

Resolution 2018079 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 2018761 through 20181936, 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 \$414,968.36.

Resolution 2018080 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 \$ 14,818.35 for the period of April 1, 2018 through June 30, 2018 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 2018081 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 fee waiver(s) have been authorized by the Town Board:

Pawling Democrats
Tom Rose

Town Hall Meeting Room

Tuesday, August 7
6pm to 10pm

Resolution 2018082
Appointment of Building Inspector

Whereas, a vacancy exists in the Building Inspector position, and

Whereas, Carl Ellis has been the Building Inspector for the Town of Pawling since 2015, and

Whereas, Carl Ellis submitted his resignation effective July 5th, and

Whereas, due to unforeseen circumstances, Carl Ellis is available and able to return to his position as Building Inspector with the Town of Pawling, therefore, be it

Resolved, that the Town Board hereby re-appoints Carl Ellis to return to his position of Building Inspector for the Town of Pawling effective July 12, 2018.

Resolution 2018083
Adoption of Road Name

Whereas, Deerfield Estates LLC is developing The Meadows of Pawling off of West Dover Road, and

Whereas, as part of the development process, the main road that services the development was constructed, and

Whereas, Dutchess County Law requires that all roads that service three (3) or more residents are required to be named for Emergency 911 purposes, and

Whereas, a request from the property owner has been made through Dutchess County Planning to designate the name of said road as “Long Meadow Drive” on the parcel number 7057-00-094957, therefore be it

Resolved, that the Town Board hereby designates said road as “Long Meadow Drive” as requested by the property owner.

Resolution 2018084
Adoption of Road Name

Whereas, Deerfield Estates LLC is developing The Meadows of Pawling off of West Dover Road, and

Whereas, as part of the development process, a private drive was constructed off of the main road in the development, and

Whereas, Dutchess County Law requires that all roads that service three (3) or more residents are required to be named for emergency 911 purposes, and

Whereas, a request from the property owner has been made through Dutchess County Planning to designate the name of said road as “Weir Brook Lane” on the parcel number 7057-00-094957, therefore, be it

Resolved, that the Town Board hereby designates said road as “Weir Brook Lane” as requested by the property owner.

Resolution 2018085
Standard Workday & Reporting for Elected and Appointed Officials

BE IT RESOLVED, that the Town of Pawling (30350) hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Current Term Begin & End Dates	Record of Activities Result	Not Submitted (Check only if official did not submit their Record of Activities)
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Elected Officials

Town Clerk	6	Catherine Giordano	01/01/2018-12/31/2021	25.6	
Town Councilman	6	William Johnson	01/01/2018-12/31/2021	20.4	
Town Councilman	6	James McCarthy	01/01/2018-12/31/2021	20.1	
Highway Superintendent	8	John Dickinson	01/01/2018-12/31/2021	34.7	
Tax Collector	6	Barbara Tyson	01/01/2018-12/31/2021	27.2	
Town Justice	6	David Daniels	01/01/2018-12/31/2021	1.5	

Appointed Officials

Town Councilman	6	David P. Kelly	01/01/2018-12/31/2018	26.3	
Planning Board Member	6	Aaron Cioppa	01/01/2017-12/31/2019	1.5	
Zoning Board Member	6	Margaux Miller	01/01/2017-12/31/2019	0.12	

I, Catherine Giordano, clerk of the governing board of the Town of Pawling of the State of New York, do hereby certify that the foregoing resolution was

passed by the Pawling Town Board at a legally convened meeting held on the 11th day of July, 2018 and is on file as part of the minutes of such meeting,

and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Pawling on this 11th day of July, 2018.

Catherine Giordano
Town Clerk

AFFIDAVIT OF POSTING: I, Catherine Giordano, being duly sworn, deposes and says that the posting of the Resolution began on _____ and

continued for at least 30 days. That the Resolution was available to the public on the Employer's website at www.pawling.org and the official sign board at 160 Charles Colman Blvd., Pawling, New York.

**Resolution 2018086
Standard Workday & Reporting for Elected and Appointed Officials**

BE IT RESOLVED, that the Town of Pawling, location code 30350 hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Planning Board Member	6
Town Justice	6
Zoning Board Member	6

On this 11th day of July, 2018

I, Catherine Giordano, clerk of the governing board of the Town of Pawling, of the State of New York, do hereby certify that the foregoing resolution was passed by the Pawling Town Board, at a legally convened meeting held on the 11th day of July, 2018 and is part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I further certify that the full board, consists of 5 members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto
Set my hand and the seal of the Town of Pawling

**Resolution 2018089
Obsolete Equipment**

Whereas, the Town of Pawling purchases equipment for use by its employees to perform their daily duties, and

Whereas, such equipment has been used past it's expected life usefulness, and

Whereas, the equipment becomes obsolete but contains value, and

Whereas, the Highway Superintendent had deemed that the following list of equipment is no longer useful to the Highway Department and should be put out to auction or to salvage to recover what value it might hold, now therefore, it be

Resolved, that the following list of equipment is hereby approved by the Town Board to be sent to auction to receive the highest bid price, and be it further

Resolved, that any remaining equipment on said list not claimed at the auction shall be disposed of under the guidance of New York State Town Law or be salvaged.

- 1)1996 Ford Roll Off Dump VIN # 1FDZY90X9TVA08344
- 1) 19?? FWD Cab & Chassis Model R344-2362 VIN 1F9AZ28R3HCFT1136
- 4) 10 Yard Containers
- 1) 42 Yard Compactor Box
- 2) 275 gal. steel tanks
- 1) 3208 Caterpillar Engine
- 1) Allison Transmission
- 1) Wood Master MF 546 Outdoor Wood Burning Furnace
- 2) 18.4-16.1 HD Armstrong Torc-Trac Tires
- 2) Goodyear Rib Tread 9.00-10 Tires
- 1) 11' Frink Plow
- 1) 11' Angle (wedge) Plow
- 1) 1995 HINKLER Stainless Steel Sander
- 33) Aluminum Panels
- 1) Wire Rigging Rope with 4 Hooks
- 1) 1987 Mobark Eager Beaver 3800

Councilman Kelly made a motion to move resolutions 2018087 and 2018088 out of the consent agenda for discussion purposes, seconded by Councilman Johnson, motion passed unanimously.

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 2018087
Budget Amendments for Fiscal Year 2018

Whereas, a request for Budget Amendments has been received from the Budget Officer, and

Whereas, normal course of business activity throughout 2018 has prompted the Budget Officer to determine that various budget items should be amended to allow for the Town of Pawling to continue conducting business as usual; and

Whereas, the Budget Officer has requested the following budget amendments:

Relative to the Annual Union Employee Longevity Payments

Increase in Expense Line A.8160.100 (Refuse & Garbage PS) by \$500
Increase in Expense Line A.9030.800 (Social Security) by \$31
Increase in Expense Line A.9035.800 (Medicare) by \$7
Decrease in Expense Line A.9089.800 (Medicare Reimbursement) by \$538

Increase in Expense Line DB.5110.100 (Hwy Dept. PS) by \$8,500
Increase in Expense Line DB.5130.100 (Machinery PS) by \$1,000
Increase in Expense Line DB.9030.800 (Social Security) by \$589
Increase in Expense Line DB.9035.800 (Medicare) by \$138
Increase in Expense Line DB.1980.400 (NYS MTA Tax) by \$21
Decrease in Expense Line DB.9089.800 (Medicare Reimbursement) by \$10,248

Relative to the Annual Non-Union Employee Longevity Payments

Increase in Expense Line A.1410.100 (Town Board PS) by \$3,603
Increase in Expense Line A.1620.100 (Building & Grounds PS) by \$1,000
Increase in Expense Line A.3510.100 (Safety from Animals PS) by \$3,000
Increase in Expense Line A.5010.100 (Hwy. Superintendent PS) by \$2,500
Increase in Expense Line A.7020.100 (Recreation Admin. PS) by \$2,500
Increase in Expense Line A.1980.400 (NYS MTA Tax) by \$29
Increase in Expense Line A.9030.800 (Social Security) by \$782
Increase in Expense Line A.9035.800 (Medicare) by \$183
Decrease in Expense Line A.9089.800 (Medicare Reimbursement) by \$13,597

Increase in Expense Line B.3620.100 (Building & Safety Inspection PS) by \$750
Increase in Expense Line B.4020.100 (Registrar PS) by \$171
Increase in Expense Line B.8010.100 (Zoning PS) by \$750
Increase in Expense Line B.8020.100 (Planning PS) by \$800
Increase in Expense Line B.8090.100 (Environmental Control PS) by \$200
Increase in Expense Line B.1980.400 (NYS MTA Tax) by \$6
Increase in Expense Line B.9030.800 (Social Security) by \$166
Increase in Expense Line B.9035.800 (Medicare) by \$39
Decrease in Expense Line B.9089.800 (Medicare Reimbursement) by \$2,882

Now, therefore be it Resolved, that the Town Board of the Town of Pawling hereby approve the 2018 Budget amendments as submitted by the Budget Officer.

Resolution 2018088
Budget Amendments for Fiscal Year 2018

Whereas, a request for Budget Amendments has been received from the Budget Officer, and

Whereas, normal course of business activity throughout 2018 has prompted the Budget Officer to determine that various budget items should be amended to allow for the Town of Pawling to continue conducting business as usual; and

Whereas, the Budget Officer has requested the following budget amendments:

Relative to the Annual Health Insurance Buyouts

Increase in Expense Line A.1010.100 (Town Board PS) by \$4,000
Increase in Expense Line A.1220.100 (Supervisor PS) by \$4,000
Increase in Expense Line A.1340.100 (Finance PS) by \$4,000
Increase in Expense Line A.1355.100 (Assessor PS) by \$4,000
Increase in Expense Line A.1420.100 (Attorney PS) by \$4,000
Increase in Expense Line A.1620.100 (Building & Grounds PS) by \$4,000
Increase in Expense Line A.5010.100 (Hwy. Superintendent PS) by \$4,000
Increase in Expense Line A.7020.100 (Recreation Admin. PS) by \$4,000
Increase in Expense Line A.8160.100 (Refuse & Garbage PS) by \$4,000
Increase in Expense Line A.1980.400 (NYS MTA Tax) by \$81
Increase in Expense Line A.9030.800 (Social Security) by \$2,232
Increase in Expense Line A.9035.800 (Medicare) by \$522
Decrease in Expense Line A.9060.800 (Hospital & Medical Insurance) by \$38,835

Increase in Expense Line B.3620.100 (Building & Safety Inspection PS) by \$4,000
Increase in Expense Line B.1980.400 (NYS MTA Tax) by \$9
Increase in Expense Line B.9030.800 (Social Security) by \$248
Increase in Expense Line B.9035.800 (Medicare) by \$58
Decrease in Expense Line B.9060.800 (Hospital & Medical Insurance) by \$4,315

Now, therefore, be it Resolved, that the Town Board of the Town of Pawling hereby approve the 2018 Budget amendments as submitted by the Budget Officer.

MOTION: Councilman Kelly
SECOND: Councilman Johnson

Councilman Kelly said this budget was one that he produced as Town Supervisor in 2017 to cover 2018. In doing so, as he had done in previous years, he had taken the salary and benefits and brought them together at the end of the budget so at the end of each budget category, the numbers were tallied at the end that dealt with payroll taxes and such. When he put the budget together for 2018, he had moved in the longevity and also the insurance buyout payments into one lump number. He did this because of questions he had. In consultation with the Bookkeeper, he had been advised that these were direct payroll related items and should be noted as such. He was trying to make the budget more streamlined but it goes back to the Comptroller's Office, because they are payroll related, they should be back in the related department budgets. These are costs that were related to expenditures.

Councilman DeRosa said these aren't new expenditures, they are last year's expenditures, just recorded differently, just to be clear in the accounting.

Councilman Johnson said they are this year's expenditures, just moved out of a different spot in the budget.

The motion passed unanimously.

SEWER DISTRICT #3/AMENDED MAP, PLAN & REPORT

Mr. Richard O'Rourke from the law firm of Keane & Beane, PC, was present representing Castagna/Jucca, an organization and entity that has owned property in the Town of Pawling for over fifty years. Mr. O'Rourke explained that he is here tonight to follow up on a public hearing that was held some time ago in regard to the formation of a special district, which was part and parcel to the development of the property, the first phase. He felt it was best to explain where they are and their intention to move forward. Their goal is to develop good, quality economic development for the Town. He introduced Jerry Schwalbe, engineer and partner with Divney, Tung, Schwalbe, who have been with this project since the 1990's when it began. This project went through an inordinately long environmental review process, which was the subject of a Draft Environmental Impact Statement, Supplemental Environmental Impact Statement and a series of public hearings. There was an overall concept plan that was approved as part of the Planned Development District (PDD) zone, in which this property is located.

Mr. Schwalbe presented renderings and gave the Board an overview of the project, saying this parcel is approximately 200 acres in the PDD zone. The first phase of construction was 81 units of senior housing, plus one caretaker's unit, which has been constructed and connected to a sewer line that was installed on Route 22, via the pump station. The pump station is connected off of Route 22, across Route 55, down Holm Run Road opposite McGraths

restaurant. This was planned to go all the way north on Route 22 another mile up to the plant itself at the north end of the Village. The pump station was designed to handle the first phase. The first phase was the senior housing units, about 8,800 gallons per day but it was also approved for an additional medical office building at about 6,600 gallons per day and another 99 units of senior housing at about 11,000 gallons per day. They were capped at a total of 26,366 gallons per day for that initial design for the pump station and sewer main. In planning out the future, it was the Town's desire to see if there was an opportunity to increase sewer capacity to the south on Route 22. The pump station was sized to handle additional flow and it was increased to about 120,000 gallons. He said the flows are textbook and are conservative and as you go into it further, the senior housing flow is only about half of what it was designed for. What they are looking at with the Map, Plan & Report is the connection of the pump station, the force main and the connection to the Village sewer line.

Mr. O'Rourke said this is a special district pursuant to New York State Town Law. There is a process and procedure that must be followed and in fact back in 2016, there was a notice of public hearing for the formation of the sewer district that was duly published and there was a public hearing that was held on February 2, 2016. There were no comments at the public hearing and the public hearing was closed. The next step was for a draft of a resolution authorizing the formation of the district. What happened was, with regard to the Map, Plan & Report, there were certain areas of concern with the Village and the Pawling Joint Sewer Commission and so they went through a series of revisions as to the Map, Plan & Report. There were some adjustments that were made in terms of charges and assessments. Finally there was what they thought was a final draft of the Map, Plan & Report, which was forwarded to the consultants for the Village. Unfortunately, there were delays and they were finally able to get everything completed. Peter Setaro, PE with Morris Associates then transmitted to the Town Board a report this year which was satisfactory to the Pawling Joint Sewer Commission as well as the Town. There were discussions with Supervisor Schmitt and Town Attorney Robert Shadur of further expansion of the special district, to which they quite frankly objected. Since they had been waiting three years to get this done, they urged to just move forward with it. His understanding from speaking with the Supervisor is there seems to be impetus momentum to get rolling with further development. The next step for them is to get this in place. They wish it had been done sooner. They can get it done. Since there have been revisions to the Map, Plan & Report from the point at which the Town held the public hearing in 2016, he felt the more prudent way of going about this is for the Board to schedule another public hearing with the Map, Plan & Report as submitted by the Town's consultant Morris Associates. He respectfully requested that the Board confer with its engineer, Town Attorney and move in the direction of setting a date for a public hearing and moving on.

Councilman Kelly asked if the public hearing could be set for August 8th.

Councilman O'Rourke said yes, there would have to be publication in the official newspaper.

Nancy Tagliafierro, Town Attorney from Hogan & Rossi said she had spoken to Morris Associates and they are in favor of scheduling a public hearing.

Councilman DeRosa said he was in favor of scheduling a public hearing as soon as possible.

Councilman Johnson felt the public hearing should be scheduled.

The motion to schedule a public hearing on establishment of Town Sewer District #3 for the Town Board meeting on August 8, 2018 at 7:00 PM was made by Councilman Kelly, seconded by Councilman Johnson, motion passed unanimously.

WHALEY LAKE DAM

Councilman Kelly gave an update on the Whaley Lake Dam project. He presented photographs of the work in progress, showing a number of concrete pours that have been done. He explained the purpose of the draw down chamber for the dam. Because of all of the work that is happening and progress being made, he felt this was a good time to show everyone what is going on.

Vinny DiMarco, Town of Pawling Owner's Representative gave an update, thanking the Board members and Supervisor for visiting the dam and supporting him. Mr. DiMarco said Councilman McCarthy suggested installing a storage building, which Mr. DiMarco thought was a good idea for storing equipment. He explained the progress in detail to the Board. He explained the concrete pours and how much concrete was used. There will be a pour tomorrow at 2 PM for the draw down chamber, which will be tedious but he was confident it would go fine. He suggested the Board schedule an open house the first week in August for residents to come to the site and visit the dam and work underway. He would volunteer his time for this and he suggested a two hour window.

Councilman DeRosa agreed, and suggested two days be scheduled, possibly Saturday and Sunday and said he would volunteer his time.

Councilman Johnson said he would also volunteer his time.

Following discussion, the Board scheduled the site visit for the Whaley Lake Dam for August 4th and August 5th.

BOARD MEMBER REPORTS

JOHNSON

Councilman Johnson commended Supervisor Schmitt on Community Day, saying it was a positive thing to witness the community coming together. He said he and Supervisor Schmitt had a meeting regarding health insurance and benefits. He would be reaching out to the Board members individually over the course of the next month and he will have some discussion and potentially a resolution with some changes for the August meeting.

MCCARTHY

Councilman McCarthy said Fire Chief Everett White would like to put a dry hydrant at the old marina at Whaley Lake now that the lake is drawn down. He would be working with Mr. White on that in the next couple of weeks.

DEROSA

Councilman DeRosa said he was happy to have Carl Ellis, Building Inspector back on board with the Town. He thanked Ronnie Gallagher for stepping in and working with the Town and handling things in the absence of a Building Inspector. He said Mr. Ellis wears a lot of hats and may need help. He said Mr. Ellis is over worked and he suggested hiring a part time person to help Mr. Ellis with some of the environmental and zoning issues.

KELLY

Councilman Kelly said the Whaley Lake Dam has been one of the big projects this year. When he was there yesterday, there was an issue and Mr. DiMarco handled it very well. He witnessed the situation and he was very happy with the way Mr. DiMarco handled it. He commended Mr. DiMarco for the job he is doing there.

SCHMITT

Supervisor Schmitt said he has been working on the budget with Town Bookkeeper Andrew Forman. Since he has been elected, he has heard concerns about the budget. He has not taken the budget officer's salary this year. He and Mr. Forman have reached out to a number of different firms and discussed them coming in and working on the budget this year so that everything is out in the open. He hoped a CPA firm could pull the budget apart and put something together that the community can be really proud of. He and Mr. Forman are proposing the firm RBT be hired to prepare the budget. The fee could be from \$1,500.00 to \$15,000.00. This would let the community know how hard the Board is working. He believed this would be the best option of the Town and he hoped the Board would support him on this.

Supervisor Schmitt made a motion to retain the firm RBT not to exceed \$15,000.00 in assisting himself, Andrew Forman, the Board and all of the department heads in putting together a budget for the Town of Pawling this year, seconded by Councilman Johnson, motion passed unanimously.

PUBLIC COMMENT

Coleen Snow from Mohawk Trail, Pawling thanked Supervisor Schmitt and Peter Cris and said the community day event was a great event. Regarding the budget, she said a good friend of hers Joe Marini, Councilman in Hyde Park, has told her that Hyde Park developed an audit committee and they picked different people from the community and meet on an as needed basis to review the budget.

Vinny DiMarco thanked Supervisor Schmitt, the Board and Peter Cris for community day, it was a great event. Regarding the Whaley Lake Dam, he believed that power is needed for safety reasons. He suggested at some point investing in a generator. He felt having a CPA do the budget was a good idea.

The motion to adjourn was made by Supervisor Schmitt at 7:55 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk