

Supervisor James Schmitt opened the Regular meeting of the Town Board of the Town of Pawling at 7:00 PM August 8, 2018 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, McCarthy, DeRosa and approximately 28 interested citizens. Councilman Kelly was absent.

EXECUTIVE SESSION

The motion to enter into Executive Session was made by Councilman Johnson at 7:01 PM, seconded by Councilman DeRosa, motion passed unanimously.

The motion to return to the regular order of business was made by Supervisor Schmitt at 7:30 PM, seconded by Councilman Johnson, motion passed unanimously.

PAWLING SEWER DISTRICT #3/PUBLIC HEARING

Supervisor Schmitt made a motion to open the public hearing, seconded by Councilman Johnson, motion passed unanimously.

Mr. Richard O'Rourke, attorney with the law firm of Keane & Beane, PC was present, representing Jucca Company and Castagna. Also in attendance representing Castagna were Jerry Schwalbe, Professional Engineer from Divney, Tung, Schwalbe, as well as Alex Wong, Assistant Vice President for Development for the Castagna organization. They are here tonight for the public hearing with regard to an amended petition that was filed in January of 2016 with respect to the establishment of a sewer district, which would provide for municipal services to the Castagna property, which has now in part been developed. Under New York State Town Law, there is a requirement that there be a public hearing if in fact there is going to be the establishment of a special district to provide water or sewer services to a property. They filed an application and an amended petition back in 2016. It took them a long time to get here unfortunately because time has been spent in regard to preparation of a map, plan and report, which is necessary to set the parameters of the district, the properties being serviced and other vital information. One of the issues they had was what the rates were going to be. Unfortunately, they still don't know what the rates will be and obviously the special district pipe will be tied into the Pawling Joint Sewer Commission wastewater treatment plant. The map, plan and report was prepared by Morris Associates, consulting engineers to the Town of Pawling and the report has been set forth and has been filed with the Town Clerk. It took them a long time to get here but they are delighted to be here. The sewer connection was built at no cost to the Town. The pipe was paid for and constructed by the property owner. They are now dedicating it to the Town so that in the future it can be used by other projects on the Castagna parcel, as well as other properties that could later become part of the special district. Alex Wong will share later in the meeting some exciting prospects and there will be a site plan filed shortly after they get the pipe dedicated. The problem is that when you are furnishing sewer services to more than one property, you have to have a municipal special district in place. So this process is necessary for them to move on with development plans.

Councilman Johnson thanked Mr. O'Rourke for his professionalism and knowledge and said it has been a pleasure bringing this to fruition. He is excited to hear the news about what is coming next.

Councilman DeRosa said it has been a pleasure working with Castagna over the past twenty years.

Alex Wong, Assistant Vice President for Development for the Castagna organization explained that they are looking at proposing a 120 bed assisted living facility on their site, as well as working with the hospital system, who is looking at doing an urgent care facility, and he hoped some retail or commercial space as well. Once this is settled, they hoped to be before the Planning Board as early as September. Their original approval was for a 67,000 square foot medical office building. That site plan approval still exists. They are not moving ahead with that. They have an opportunity with the assisted living and independent care facility that they feel they need to move forward on.

There were no further comments and Supervisor Schmitt made a motion to close the public hearing, seconded by Councilman Johnson, motion passed unanimously.

MINUTES

Councilman Johnson made a motion to approve the minutes of July 11, 2018 and July 27, 2018, seconded by Councilman DeRosa and passed with the following roll call vote:

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

RESOLUTIONS

**Resolution 2018092
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 20181937 through 20182103, 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 \$814,862.43, which includes the Winn Construction (\$281,942.75) and Fuss & O’Neill (\$38,333.05) payments approved at the 7/27/18 Town Board Meeting.

**Resolution 2018094
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 Rotary Jeff Asher | Lathrop Building & Grounds | 10/13/18 9am - 5pm |
| Pawling Soccer Mark DelBalzo | Soccer Fields | 9/1/18 – 11/30-18 8am – 8pm |
| Pawling High School Helen Callan | Lakeside Park AP Testing | 5/6/19 – 5/17/19 |

MOTION: Councilman Johnson
SECOND: Councilman DeRosa

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

Resolution 2018093
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 \$2,32.80 for the period of May 1, 2018 through July 31, 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 #1.

Councilman Johnson made a motion to approve resolution 2018093 with a change in the amount to \$2,320.80, seconded by Supervisor Schmitt, motion passed unanimously.

PAWLING COMMUNITY FOUNDATION PRESENTATION

The Board entertained a presentation by Mario Mejorado of the Pawling Community Foundation (PCF). He stated that other members of the PCF present this evening were George Apap, Katie Berlandi, J.B. Passler and Ed Hauser. Mr. Mejorado presented preliminary drawings for the Murrow Park dog park proposal, which were created in 2016. He explained that the concept was a dog park and community gardens, and that the location of the dog park would be in the location of the volleyball courts along Lakeside Drive. They would like the Town Board to give them the opportunity to proceed with construction drawings and give them the go ahead to do some work in the park once they have their funding in place for the dog park. The project will involve approximately one third of an acre. The PCF is in its second year of fund raising. They would expect to break ground on this project next year. The estimated cost of this project will be \$32,000.00 to \$36,000.00. They expected construction to be approximately 4 to 6 weeks, depending on the contractor. They do want to discuss this project with the Board before final construction drawings are done.

Councilman DeRosa asked about expansion should this become popular and who would police this. He also expressed concern about maintenance of the grass and trees.

Mr. Mejorado said these are issues that can be worked on together.

Councilman Johnson asked if the PCF was subject to prevailing wage requirements.

Nancy Tagliafierro, Town Attorney said she believed the PCF would be subject to prevailing wage requirements.

Councilman Johnson asked about the surface of the trails.

Mr. Mejorado said they would like to discuss this issue with the Board also. He was hoping a dog park would revitalize Murrow Park and get the excitement going about this park again. They are looking for direction from the Board so they can make this happen with private dollars, dollars raised here from Pawling residents.

Councilman DeRosa asked if the PCF would relocate the volleyball courts or would the Town have to do that.

Mr. Mejorado said that is another good discussion the PCF and Board should have.

Councilman DeRosa asked what was being done about the dirt pile.

Mr. Mejorado said the dirt was a gift from Trinity Pawling School. The PCF voted to accept it in conjunction with the Town Board. The opportunity there is that it is about 8,000 cubic square feet of dirt. The field project is about a quarter of a million dollars and if the pile of dirt is removed, it would add substantially more to the cost of the overall project. If the Board wanted, they could probably use a percentage of it for other projects and it would still leave enough for the PCF to eventually use it for the fields.

Supervisor Schmitt asked about construction drawings for the proposed fields.

Mr. Hauser said all of the construction drawings are done and paid for. They can calculate the amount of fill they need for that project so the rest can be repurposed other places.

Following further discussion, Councilman Johnson thanked everyone on the PCF for their efforts and made a motion to authorize the Pawling Community Foundation to continue with the dog park plans as presented for Murrow Park, with the Town Board giving final approval upon presentation of the construction plans, seconded by Councilman McCarthy.

Councilman DeRosa said as long as the PCF takes the Town Board's recommendations in hand and keeps them informed as it moves along. He didn't want to end up with a maintenance problem.

Mr. Mejorado agreed.

The motion passed unanimously.

WHALEY LAKE DAM UPDATE

Councilman DeRosa said this past weekend, the public was able to visit the dam. He said he and Vinny DiMarco gave approximately 25 people tours of the project on Saturday. Councilman DeRosa said on Sunday, additional people visited the dam and they met a gentleman named Nick DiGiaino, whose grandfather lived on the Whaley Lake Island and was part of the original dam committee, who has since passed away. Mr. DiGiaino took pictures with a drone, which will be posted on the Town website once received from Mr. DiGiaino. He thanked Vinny DiMarco for donating his time over the weekend.

Mr. DiMarco thanked Councilman DeRosa for donating his time over the weekend. He said there was a good turnout both days and people were appreciative of the open house. He suggested another site inspection once all of the concrete structure is complete, probably the first week in September. Mr. DiMarco gave the Board a detailed overview of what has happened with the project thus far and milestones coming up. Mr. DiMarco explained that at total of 1,315½ cubic yards of concrete has been poured on site, although 1,405 yards has been delivered. Some of the cement delivered had to be rejected because the cement can only be kept in the trucks up to 90 minutes, and there was a scheduling issue with the trucks. The concrete pours are nearing completion. A walkway to gain access from one side to the other of the dam, a storage building on site and entrance gates at the access to the dam parcel were discussed but needed further research and discussion.

Councilman DeRosa felt the target date for allowing the lake to fill again is mid-November. At that point, the project should be complete enough to allow the lake to be filled.

Mr. DiMarco agreed, saying at that point, the project would be substantially complete according to the engineers.

Mr. DiMarco said the carnival was a big success and he thanked everyone involved for their efforts.

BOARD MEMBER REPORTS

JOHNSON

HEALTHCARE REVIEW

Councilman Johnson said at the last meeting he mentioned that he would perhaps have a resolution regarding healthcare. Upon really delving into it, he found a lot of changes that have been made over the years that need to be incorporated into the handbook. He has also started working with the Supervisor on ways of saving money. To that end, he has been talking with other towns and looking at other carriers. He has some ideas about changing employee participation, while not looking to hurt what coverage people have. He is also looking to review the health insurance overall as a benefit, as to who receives it. So going forward he and Supervisor Schmitt might be able to update people on a month to month basis, once more solid information is received.

Supervisor Schmitt said there have been many meetings with multiple surrounding municipalities to see how their healthcare systems are set up and how other towns had similar situations to ours and how they have changed it. The Board realizes that healthcare is a major concern in the country and is changing for everyone. They have met with healthcare providers and are working toward something. He was hoping he would have more information today but he has had a lot of meetings and a lot of discussions to talk about the best way to change it. He is looking at taking the good things the other towns have done and implement them into Pawling. There are very substantial savings potentially in front of us. This is not something that gets done

overnight. It is something he has worked on a lot since he took office in January. He hoped he and Councilman Johnson will be able to put together something the community will be very happy with and the employees and the elected people in the Town also. He is hoping to have that by September.

FUEL OIL BID

Councilman Johnson said the fuel oil bid has been very successful and saved the Town a lot of money. He felt it should go out to bid.

The Board agreed.

HIGHWAY TRUCKS

Following discussion, Councilman Johnson made a motion to authorize the Highway Superintendent to proceed with the purchase of two (2) F550 plow trucks under State bid, with Councilman Johnson's final approval, seconded by Councilman McCarthy, motion passed unanimously.

MELISSA SMITH RETIREMENT

Councilman Johnson said Melissa Smith, Recreation Director has submitted her resignation to the Town. Councilman Johnson said he has worked with Melissa Smith as both the Chairman of the Recreation Commission and for the last 16½ years he has been on this Board. The Town would not have the Interact Club or summer programs we have if it weren't for Mrs. Smith. Mrs. Smith has really left her mark on the Town's parks and Recreation Department. He wished she could be here tonight but she could not. He read the following commendation:

COMMENDATION

Melissa Smith

Whereas, Melissa Smith has served the Town of Pawling with honor and distinction for 18 years as the Director of Recreation, and

Whereas, Melissa Smith has been the consummate example of a dedicated public servant who has affected great positive change in the Town of Pawling, and

Whereas, the hard work of Melissa Smith has been the driving force for countless programs that have had a profoundly positive effect on the children and families of Pawling, and

Whereas, Melissa Smith has been an exemplary leader and role model to all that have worked for or with her, and to all who have participated in Pawling Recreation, and

Whereas, Melissa Smith is regarded as a respected friend by all of her colleagues in the Town of Pawling, therefore, be it

Resolved, that the Town of Pawling, by its elected town board, hereby recognizes the service and dedication displayed by Melissa Smith Presented this 8th day of August, 2018.

Councilman DeRosa said he spoke with Melissa Smith yesterday and she is sadly making this move. He stressed that she think about the numerous children in Pawling she has effected for the last 16 years. It will be hard to replace her.

Councilman McCarthy agreed.

Supervisor Schmitt said Mrs. Smith has done a lot of work with the Rec Department and the Interact Program and everyone over there at Lakeside Park. Moving forward, the Board will

be working with the County and taking applications and looking to fill this position. He hoped the Board could find someone very qualified and experienced in the Rec Department and working with children. He hoped the Board could find someone with a strong background and building on what Mrs. Smith has done over the years. He wished Mrs. Smith good luck in all her future endeavors.

DEROSA

TRANSFER STATION

Councilman DeRosa felt it was time to put together a committee to review the transfer station rules and fees so we aren't waiting until November or December to look at this. He suggested a committee of four members be formed consisting of Councilman DeRosa, Councilman McCarthy, Town Clerk Cathy Giordano and Jay Dickenson, Highway Superintendent. The committee will review the rules, fees and have committee meetings. He felt the details for changes need to be looked at soon.

Supervisor Schmitt felt it was good to look at the transfer station. He has been working on it with members from the community.

PUBLIC COMMENT

Harvey Matcovsky said he was happy to see encouraging progress on the plans for Lakeside and Murrow Parks. He looked forward to the Dog Park and Whaley Lake being filled up again. It was nice to see progress being made in hiring a CPA, and said the town needs a long term capital plan and transparency. He asked that Supervisor Schmitt provide him with what the Town fund balances were and the status of the current budget. He was interested in knowing the maturity date of the bond for Lakeside Park and plans for when that was paid off. He asked that all of this information is made public.

Bill Dietz complimented the Board on trying to address the healthcare issue, which is a very important issue, and said the Board should take its time and get it right. Regarding the new sewer district, going ahead developing that end and improvements to the wastewater treatment plant are all good for the development of Pawling. He felt that different people's interests in this town could be balanced. Good infrastructure is needed for growth and service to people.

Nancy Reilly said she was excited about the Castagna property and the update she heard tonight. She was excited about urgent care but concerned about 100+ assisted living beds affecting ambulance service in the town.

Helen Grosso thanked the Board for trying to get through the health benefit stuff and she felt the Board should take its time and get it right. She asked about the Route 22 committee that was suggested by the Planning Board.

Councilman Johnson said he is formulating the review process.

Mrs. Grosso asked the price of the trucks approved tonight.

Councilman Johnson said approximately \$75,000.00 per truck, fully equipped. It is projected they will come out of the fund balance for Highway.

Mrs. Grosso asked about pension hours posted on line. There are a Planning Board Member and Zoning Board member now signed up for credits, which is new and she was concerned about lifetime medical benefits.

Councilman Johnson said a Planning Board or Zoning Board member would not qualify for that benefit.

Mrs. Grosso said this is not clear because the Employee Handbook hasn't been updated since 2001. She asked if the hours reported concern anyone. Is there a process where these hours are looked at?

Nancy Tagliaferro, Town Attorney said the Board doesn't manage what the elected officials do, Mrs. Grosso should direct her questions to the elected officials for those answers.

The motion to adjourn was made by Supervisor Schmitt at 9:00 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk