

Supervisor James Schmitt opened the Workshop Meeting of the Town Board of the Town of Pawling at 7:00 PM December 5, 2018 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen DeRosa, McCarthy, Johnson, Kelly and approximately 30 interested citizens.

RESOLUTIONS

The Board discussed the proposed resolutions. Following discussion, it was agreed that the resolutions would be placed on the December 12, 2018 Town Board meeting agenda.

The Board took action on the following resolution:

Resolution 2018129 Authorization to Purchase Roll-Off Truck

Whereas, the Town Board of the Town of Pawling has received a recommendation from the Town Highway Superintendent, Jay Dickinson, advising that it would not be cost beneficial to the Town to repair the current Roll-Off truck, and

Whereas, Mr. Dickinson recommends instead that the Town purchase a 2019 Mack Granite Roll-Off Truck for use by the Town of Pawling Highway Department pursuant to Section 142 of the Highway Law; and

Whereas, the Town Board has been provided with a proposal for one 2019 Mack Granite Roll-Off Truck from Beam Mack Sale Service dated January 22, 2018 in the amount of \$183,706.44 pursuant to Onondaga County Contract #7823; and

Whereas, Section 103(16) of the General Municipal Law exempts from competitive bidding purchase contracts for apparatus, materials, equipment and supplies, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district; and

Whereas, the Highway Superintendent has heretofore ordered the referenced truck; and

Whereas, in accordance with the Town's Procurement Policy and the General Municipal Law, the Town Board wishes to authorize the Highway Department to purchase the Truck consistent with the above referenced proposal; Now, Therefore, be it,

Resolved, that pursuant to Section 142 of the Highway Law, the Town Board ratifies the action of the Highway Superintendent and hereby authorizes and approves the purchase of one 2019 Mack Granite Roll-Off Truck from Beam Mack Sales Service for a cost not to exceed \$183,706.44 pursuant to Onondaga County Contract #7823, to be delivered to the Town of Pawling Highway Garage; and

Be it Further Resolved, that the terms of payment will be as follows:

1. The use of a portion of the Town of Pawling Highway (A) Fund Balance (Equipment Reserve) in the amount of \$33,706.44; and
2. the balance of \$150,000 will be financed through the issuance of a Bond Anticipation Note pursuant to a bond resolution previously adopted by the Town Board, Resolution no. 2017107; and

Be it Further Resolved, that the Town Board of the Town of Pawling hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this Resolution, including execution of a contract of purchase or purchase order for the item purchased, and to complete the purchase upon delivery of the item purchased in accordance with the terms of the Resolution and the Contract and to pay or have paid the above amounts specified to be paid as specified herein, and that the Town Supervisor and the Town Bookkeeper are hereby authorized and directed to establish a capital account for purposed of acquisition of the highway equipment and that the amounts as specified herein are hereby appropriated therefore.

MOTION: Councilman Kelly
SECOND: Councilman Johnson

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilman Kelly – “AYE”

Supervisor Schmitt – “AYE”

Resolution 2018131
Approval of Waiver for Transfer Station Permit

Whereas, the Town of Pawling has established new rules for the 2019 operation and use of the Pawling Transfer Station, and

Whereas, commercial vehicles are prohibited from obtaining permits to the Transfer Station without first seeking a waiver from the Town Board of the Town of Pawling, and

Whereas, recipients of a waiver are only permitted to dump household waste at the Transfer Station, therefore, be it,

Resolved, that the following individuals are hereby approved for a waiver to obtain a 2019 Transfer Station Permit by the Town Board of the Town of Pawling:

Joann and Louie Bonavenia
Douglas O’Dell
Meagan McCoy
Eugen Pepe
Chris Shultz

MOTION: Councilman DeRosa
SECOND: Councilman Johnson

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilman Kelly – “AYE”

Supervisor Schmitt – “AYE”

PAWLING ANIMAL CLINIC ROOF

Councilman Johnson explained that the roof on the outside storage facility they use to house dogs is in need of repair and they do not utilize it for their business. They use it for Town of Pawling business in housing stray dogs. If it gets to a point where it deteriorates any more, the Town would not have a place to house stray dogs that are picked up by the Dog Warden. This will require a minor amount of material, however the Town Law prohibits the Town from spending any money. The Board needs to accomplish this in a volunteer fashion. He offered to donate funding and Board members and Vinny DiMarco have offered to help repair the roof.

LETTER OF SUPPORT FOR CASTAGNA PHASE II

Supervisor Schmitt said the Town Board received a letter of support for the Castagna Phase II project from the Town Planning Board. He encouraged Board members to read the letter, speak with representatives of the Planning Board and this can be discussed next week. Castagna would like to move forward with another building and they have stated that they have a waiting list of people who would like to move into the complex.

PUBLIC COMMENT

Mark Chipkin, President of the Hurds Corner Civic Association made the following statement:

- We appreciated your taking responsibility to listen to your community's questions and providing the time consuming answers. Thank you! We are sorry you are temporarily discontinuing this community exchange which really helped our residents to understand what is going on.
- Will you still allow us to set up meetings with you at the Town Hall, if we want to discuss something?
- I continue to get questions from mainly the 40+ petitioners opposed to changing the zone on route 22 north of the village. As a representative for the Hurd's Corner Civic Association, I will continue to provide the Town Board with pertinent information, even during this no questions period. We continue to appreciate but won't expect answers to our questions.
- Regarding the two bids, it appears that the scope of services to be provided by the two companies is very different as the cost for the 44,000 AKRF vs 78,000 BFJ, Not sure if we are comparing apples to apples here.
- Though we are not sure of the details, AKRF does not mention the SEQRA Process while BFJ does. With 7 commercial petitions, it seems that there will be a large environmental impact in the Critical Environmental area. Which RFP is closer to what is required by the Town Board?
- There is no mention of having a Hydrogeologist as part of the planning process. This Hydrogeologist is crucial, as we will need to determine how much water commercial development will need and how much is available
- What waste treatment facility will prevent sewage and chemical pollution of our aquifer?
- If any nearby towns such as Dover or Southeast are using ARKF or BLG, we hope you will interview their planning and conservation boards to see how good a job they have done in their towns.
- There is a growing interest by town citizens to have the Town Board consider designating the funding that might have been used for the planner, to a complete Comprehensive Plan instead. This New Comprehensive plan would be for the future of the entire Town of Pawling rather than focusing on Route 22 North. This would involve a Task Force made up of Town and Village Officials, the Chamber of Commerce, residents and organizations. It would be funded by State Economic Development Grants from our newly elected officials. It would focus on Sustainable Economic and Environmental Growth.
- Bill Johnson stated in his letter, "When the petitions are reviewed, I will then be ready to answer questions about possible rezoning." Members of the community are asking if you have an estimate of how much time the planners will be given to produce a report for you?

Philip van Buren, Chairman of the Oblong Land Conservancy with offices at 517 Route 22, said he would like to share with the Board some of his experience with the firm AKRF. What their application will not tell you is how they have been the subject of litigation with Columbia University. In 2006-2010, AKRF worked for Columbia University in its development of a new campus in West Harlem, but they got in trouble offering Columbia both the SEQRA services for the Columbia as the project sponsor and a neighborhood blight study, in support of the Empire State Development Corporation's use of eminent domain. As a result of this conflict of interest, ESDC ended up having to do the whole blight study over again with a different consultant, at an expense to Columbia of approximately another one million dollars, not to mention substantial legal costs. When hiring an architect or an engineering for a building project, you can hire the consultant who will realistically advise you of the cost and time frame of the project. If you are thinking of hiring AKRF, I would advise you to look into the tuck it away vs Empire State Development case. The related eminent domain case was Kaur vs Empire State Development

Corporation. In the matter of the Columbia University project, it appears AKRF did not give their client good advice and it cost their client a great deal of time and money.

Helen Grosso, resident of 14 Tracy Road, questioned the purchase of the roll off truck. She asked where the money would come from to pay for the truck.

Councilman Kelly said the truck would be paid for from transfer station permit sale monies. He said the Board had to pass a new resolution to make the purchase of the truck due to the change from standard transmission to automatic transmission, as there was a change in the cost of the truck.

Mrs. Grosso said there was also talk about getting a grant.

Councilman Kelly said there was an eligible grant but it was not applied for by the previous Highway Superintendent. This is a revolving recycling grant but it must be proven that the truck is used for handling a certain percentage of recycling material.

Judy Pisano, resident from 7 Mallow Court, said she helped the previous Highway Superintendent fill out the grant paperwork, which was filled out correctly and submitted to NYS DEC in 2017. Everything was in place. She spoke with a representative of NYS DEC today and she was told that the grant is still available but if there is anything that has changed, NYS DEC must be notified. The grant has not been held up, it is available. It takes two to five years to get the money from NYS DEC. For the truck, the Town should get at least \$50,000.00.

Councilman Kelly said he was told by NYS DEC in January when he called that the Town missed the deadline but could reapply.

Mrs. Pisano said she would give the Board the information and the contact person she spoke to NYS DEC.

Peter Cris announced that the tree lighting is Friday and the Champagne Stroll is on Saturday. He urged everyone to attend. He said he was happy that the Castagna project is moving forward.

Councilman DeRosa said regarding finding new Planning & Zoning Board members, he felt the Board should consider people who are available during the day for meetings.

The motion to adjourn was made at 7:30 PM by Councilman Kelly, seconded by Councilman Johnson and passed unanimously.

Town Clerk