

Supervisor James Schmitt opened a special meeting of the Town Board of the Town of Pawling at 6:00 PM July 24, 2019 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen Johnson, McCarthy, DeRosa, McGrath and approximately 10 interested citizens.

RESOLUTIONS

**Resolution 2019090
Authorizing Payment of Bills**

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 voucher has been numbered 20190941, 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 \$149,838.59.

MOTION: Councilman Johnson

SECOND: Supervisor Schmitt

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilman McGrath “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2019091
Appointment of Laberge Group for Grant Writing Services**

Whereas, the Town Board of the Town of Pawling has met with the Laberge Group regarding their grant services, and

Whereas, the Town Board of the Town of Pawling believes the grant services provided by the Laberge Group would be extremely beneficial to the Town, and

Whereas, the contract for said grant writing services has been reviewed by the Town Attorney, and

Whereas, the Town Board of the Town of Pawling has reviewed the contract and is agreeable to the terms set forth therein, therefore, be it

Resolved, that the Town Supervisor is authorized and directed to execute any and all documentation necessary to give effect to this resolution.

MOTION: Supervisor Schmitt

SECOND: Councilman Johnson

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilman McGrath “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2019092
Rescinding Resolution No. 2019086
Medical Insurance for Retirees**

Whereas, on July 10, 2019, the Town Board adopted Resolution No. 2019086 (the “Resolution”) eliminating health insurance benefits for some retirees, and

Whereas, after adoption of the Resolution, it was determined there is a need to revise the Resolution; and

Whereas, the revision to the Resolution does not change the intent or substance of the Town’s policy regarding retiree health insurance benefits, but allows the Board to clarify the policy through a new resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board that Resolution No. 2019086 is hereby rescinded.

MOTION: Supervisor Schmitt

SECOND: Councilman Johnson

Councilman Johnson said the reason Resolution 2019086 is being rescinded is because there were questions about the clarity of protecting existing employees and what benefits they are qualified for, or if an existing employee decided to run for office and still maintained continuous employment. This resolution eliminates the previous resolution and the next resolution will clarify the intent of the resolution.

ROLL CALL VOTE:

Councilman Johnson – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilman McGrath “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2019093
Medical Insurance for Retirees**

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling does hereby approve the replacement, in its entirety, of Section 808 “Medical Insurance for Retirees,” the subsection entitled “Eligibility” of the Town of Pawling Employee Handbook as follows:

“Eligibility.

1. Employees. Employees will be eligible for medical insurance coverage in retirement, if on their date of retirement from the Town’s service the employee will receive their bona fide retirement benefit from the New York State Employees’ Retirement System and they satisfy one of the following criteria:
 - a. Individuals employed prior to January 1, 2011, must be fifty-five years or older and have ten (10) years of continuous service with the Town; or

- b. Individuals employed on or after January 1, 2011, must be fifty-five years or older and have twenty (20) years of continuous service with the Town.”
- 2. Elected Officials who took office prior to January 1, 2018. Elected officials who took office prior to January 1, 2018 will be eligible for medical insurance coverage in retirement, if on their date of retirement from the Town’s service, the elected official will receive their bona fide retirement benefit from the New York State Employees’ Retirement System and they satisfy one of the following criteria:
 - a. Elected officials who took office prior to January 1, 2011, must be fifty-five years or older and have ten (10) years of continuous service with the Town; or
 - b. Elected officials who took office on or after January 1, 2011, must be fifty-five years or older and have twenty (20) years of continuous service with the Town.
- 3. Elected officials who took office after January 1, 2018. Elected officials who took office after January 1, 2018 will not be eligible for medical insurance coverage in retirement, with the exception of elected officials who were employed by the Town prior to taking elected office, and who satisfy the criteria as set forth in Par. (1) (a) or (b) hereinabove.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be attached to the current Town of Pawling Handbook and distributed to each current Town employee and elected official.

Supervisor Schmitt said this resolution, resolution 2019093 replaces the previous resolution regarding retirees’ medical benefits, resolution 2019086, and this was done to clarify the previous resolution because it was not spelled out perfectly. The Board is trying to protect the Town’s employees, especially people that choose to run for office and who are already working here. The Board does not want to punish them and deter them from furthering their career and staying with the Town of Pawling and going from a full time position to an elected position. Hopefully this is spelled out well enough now and acceptable to everyone.

MOTION: Supervisor Schmitt
SECOND: Councilman McCarthy

Councilman McGrath said he felt the same way as he did at the last meeting, although he is not in the majority.

ROLL CALL VOTE:

Councilman Johnson – “AYE”	Councilman DeRosa – “AYE”
Councilman McCarthy – “AYE”	Councilman McGrath “NAY”
Supervisor Schmitt – “AYE”	

AGRICULTURE & MARKETS RULING ON PIGGERIES

Supervisor Schmitt said for the last year, the Board has been dealing with Kirby Hill Farm on Quaker Hill, who has applied to raise pigs on the farm. The Town of Pawling has strong “no piggery” rules and regulations and the Town got behind those rules and shot it down. It has been appealed to Ag & Markets in Albany and has been back and forth. Recently, Ag & Markets came back and said the Town can’t tell the applicant they can’t have pigs and must work quickly with the NYS DEC and the Watershed Council and Ag Council and put some rules and

regulations in place to allow farms to raise pigs in Pawling. But the Town has to make sure there are strict rules and regulations in place.

Councilman DeRosa said Ag & Markets declared that the Town's zoning for piggeries is unreasonable because it totally eliminates them. So the Town has to come up with reasonable zoning to allow this.

Supervisor Schmitt said the Town will now need to meet with the proper governing bodies and put some real rules and regulations in place in order to make sure that the watershed is protected and the neighboring properties are protected. This is just a starting point and more discussion will happen.

Councilman DeRosa suggested having Councilman McCarthy on this matter because he has had many discussions with the Ag & Markets people, namely Gregg Pulver, and others and he knows a lot about this. Councilman McCarthy has reached out to Mr. Pulver and he can help the Town by showing examples of what other towns have done with piggeries. The Town has limited time to answer and this way, Ag & Markets can be told that the Town is working on this.

Councilman McCarthy felt the Town could then let Ag & Markets know that they are working with the East of Hudson Watershed Council, and looking at other towns in Dutchess County and what they do about piggeries. He said fifty pigs on a farm is not a piggery. He felt working with the Planning Board, and reaching out to Mr. Pulver from the Dutchess County & Farmland Protection Board and Mr. Gibson, East of Hudson Agricultural Program Coordinator would be the way to move forward. He felt everyone was in agreement that they didn't want one thousand pigs on any farm in the Town of Pawling but having reasonable setbacks, regulating the number of pigs per acre and address housing the pigs were things that needed to be addressed.

Councilman DeRosa felt all of the Town's farming regulations should be looked at.

Supervisor Schmitt asked Councilman McCarthy if he felt there would be any conflicts of interest for him in doing this.

Councilman McCarthy said no, he has checked with Nancy Tagliafierro, Town Attorney and spoken with Gregg Pulver from the Dutchess County & Farmland Protection Board and there is no conflict. He has raised two or three pigs on his farm for his own consumption. Other people have raised pigs in the Town of Pawling for their own consumption. If his daughter decides not to be a dairy farmer, they most likely will leave Pawling. They have no intention of putting pigs on their farm other than for private use only.

Supervisor Schmitt suggested a committee of five to seven people be formed to get this going right away.

Councilman Johnson suggested allowing Councilman McCarthy to reach out to these people and report to the Board at the next meeting in order to get information from other agencies and other towns, etc.

Councilman DeRosa agreed with Councilman Johnson.

Councilman McCarthy said he would meet with the Planning Board and Town Attorney on this also. He said Mr. Pulver and Mr. Gibson are willing to help in any way they can.

NYS DOT PROJECTS/HURDS CORNER ROAD/DEWEY LANE BRIDGE/WEST MAIN STREET CULVERT

Supervisor Schmitt said these three projects are all projects the Town received grant funding for and it has been quite the learning process. There is a lot of administrative work that has to be done to get to the finish line. It is now a matter of getting all of the paperwork done. He looked forward to getting to the point where RFP's can be sent out for these projects.

Councilman Johnson felt regarding the Hurds Corner Road grant, that it made sense to get the higher construction value for the extra \$50,000.00.

Supervisor Schmitt agreed. He looked forward working with the Board in getting these projects to the finish line and hopefully there will be other projects next year.

PUBLIC COMMENT

Holly Eldridge, resident of 42 Fenwood Drive, said she was here tonight representing the Lyons Club. Ms. Eldridge said she was here to talk about Murrow Park with the Board, home of the Pawling Lyons Club, and the condition of the Lyons Club building. The building is used not only by the Lyons Club but also the Rotary, Little League, the Pawling Fish & Game Association, the Pawling Nature Conservancy and many other organizations. The building has a lot of history, it is over fifty years old and in disrepair. Everyone has a vested interest in this building and that is why they are here tonight, to bring awareness to the Board. The building is in desperate need of repair, because of mold and leaks in the ceilings from roof leaks. Many people have offered their volunteer services to help with the repairs. They would like to see the building fixed and not boarded up for health reasons. She invited the Board to have a meeting in the Lyons Club building so they could see the condition of the building.

Councilman DeRosa said the roof needs a complete overhaul and the brick columns are falling apart. He and Councilman Montemarano did an assessment five to seven years ago and the estimate back then for repairs was approximately \$125,000.00. He suggested attempting to get grant monies for this project. He wished the Pawling Community Foundation would have chosen this for a project because it needs to be done.

Glenn Carey, resident of Coulter Ave., felt there was an infrastructure problem in Pawling that can't be ignored. The Board needs to take a hard look at our roads, our buildings, and our parks. Pawling Tax Cut makes things difficult for the Town Board because the more they criticize taxes not going down and taxes going up, that is a problem because it forces the Board into a position where they feel like they cannot raise taxes, and that is just not realistic. There are roads that need to be done and buildings that need to be maintained. As the Board moves forward with future budgets, there will have to be some increases. There is not an expanding commercial tax base that can absorb this. Pawling Tax Cut is not working on trying to expand the commercial tax base and partnering with commercial property owners. This is only hurting us and it will continue to hurt us. If the Board wants to allocate money to replace that roof, they don't need Pawling Tax Cut complaining that the taxes should go down. The Board can't let Pawling Tax Cut bully them. Secondly, he appreciated the modification on the medical insurance for retirees' resolution, the language in that. At the last meeting, he spoke out about it because he didn't think the language was clear at all. He would argue that this is another reason to add public comment on agenda items at the beginning of the meeting because if it was on the agenda, he would have had an opportunity to speak on that before the resolution was adopted. The language is much clearer now and he feels better about it.

Supervisor Schmitt agreed with Mr. Carey, saying everyone loves the small town feel of Pawling and he wanted to protect that.

Councilman Johnson made a motion to adjourn at 6:35 PM, seconded by Councilman DeRosa, motion passed unanimously.

Town Clerk