

Supervisor James Schmitt opened the Workshop meeting of the Town Board of the Town of Pawling at 7:00 PM September 4, 2019 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were Councilmen McCarthy, DeRosa, McGrath, Johnson and approximately 34 interested citizens.

Supervisor Schmitt said last Monday, he sat in on a Zoning Board meeting, here in this building and he has never been more disappointed in a group of people than he was last week. He was disappointed in the residents and the Board. It is the Board's job to control the meeting and to make sure residents are heard. This reflects on our town and the applicant is most likely not going to move forward with the project. He did not support meetings that go that way and there was fault all around.

Councilman DeRosa said the topic of that meeting was a public hearing for an applicant who has a right to appear before the Zoning Board and to appeal the zoning codes. The public has a right to speak but they have to be respectful, and people have to be respectful of each other. The Zoning Board is supposed to hear the concerns of the residents and then try to mitigate those concerns.

Supervisor Schmitt said someone defaced the lawn at the fire house, all along Dutcher Avenue. The lawn was destroyed and this is disheartening. He said if anyone knew anything about it, they should contact the authorities.

PAWLING COMMUNITY FOUNDATION

George Apap was present representing the Pawling Community Foundation (PCF).

Supervisor Schmitt said the PCF was before the Board last month to discuss the potential of building a dog park at Murrow Park. The Board touched on issues they had concerns with, such as the use and maintenance of the dog park and also the pile of dirt at Lakeside Park.

Mr. Apap said the PCF is trying to do wonderful projects so they don't want to try to do two or three things okay, they would like to do great things so they have permanent, beautiful projects that fit the needs of the community. The PCF spoke at the last meeting and they are ready to move forward with the dog park. Their original impetus of getting involved in the parks was Murrow Park because it was in need and it still is a priority. There has been discussion about whether the money could be better spent in other ways. The PCF has put incredible thought and effort into arriving at this point and they are literally shovel ready, they have the money, design and engineering all ready to go for the dog park. They are looking for a resolution from the Town Board to say go ahead. There is no outlay of funds from the town for this project, it is a donation to the town from the PCF from money raised in the community. They would like to donate it to the town. They are looking for a resolution to start the construction immediately on the dog park and then the second conversation is obviously the great lawn project. He said the engineered drawings are approximately 95% complete for the great lawn project.

Councilman Johnson asked if the PCF had explored improving the dog park where it is currently at Lakeside or adding the one at Murrow in addition to the existing one.

Mr. Apap said no, they have not explored improving the temporary dog park. They are operating off the master plan. They spent a lot on the master plan, they hired an excellent professional parks designer to plot all of the projects the community needs or wants and they did an amazing job of doing that. Their primary purpose was to do something at Murrow, the dog park being the first part of several projects there and they believe once all of the projects are done, the park would be essentially repurposed. Included in the plan are a community garden, a nature center and hopefully the bandstand could be restored also, so there are many purposes there.

Councilman Johnson said the town received a tremendous grant from Senator Harkham and the town would like to add to that, possibly adding younger kid's playgrounds and a place you could get away from the crowds at the big park. He felt the plan for Murrow Park needed to be revisited. He is not prepared to vote on a resolution tonight, he would be making his decision over the week as to how to proceed. He asked what the PCF plans are for the dirt pile.

Mr. Apap said nothing has changed. Eighteen months ago, the PCF allocated \$4000.00 to reseed the dirt pile, when they realized they didn't need a third of it. He has not heard anything from the town about where a third of the dirt pile is to go. He is yet to receive any direction as to where they would like the dirt pile but the funds are there to reseed the pile. He felt something needed to happen with the dirt pile concurrently with the dog park.

Councilman DeRosa said regarding the great lawn project, we are assuming that in two or three years we will have the funding to pay for that project to be done. He did not think the residents and Town Board wanted to wait two to three years to have that project done. He felt the Board and PCF needed to get together and discuss two or three projects that can be done with that pile immediately and pick one and move forward with moving the dirt pile. He felt two dog parks could be successful.

Mr. Apap said they have not discussed buy in. In order to do this, and they have talked about 2021 being the construction year and being ready to play at the end of that year on the fields, but the money is not there. It would cost \$200,000.00 to \$300,000.00 plus. In order to raise that kind of money, they would need enthusiastic, complete support from every Board member 100% on the project. They have to do a lot of work to raise the money and if they have to fight a battle with the Town Board to do the project, it would be very difficult to go out to the community and raise money. When they were conceiving of this and they already had the Town Board resolution to move forward with the project some years ago, they never anticipated resistance from the Town Board, they literally thought this would be rubber stamped and congratulated and thanked but now it has been this quagmire issue that really doesn't exist.

Councilman Johnson said the Town Board never knew that dirt pile was coming.

Councilman DeRosa suggested making an immediate decision on what can be done with the dirt because no one knows if we will have the \$300,000.00 or more in 2021 to schedule the construction.

Supervisor Schmitt said the town doesn't have the means to move the dirt pile out of the park. In the Board's defense, when the dirt came in, the Board thought it was going to be used for the great lawn project, they didn't know it would be three or four years down the road, and then a dog park, and then three or four years and then the great lawn project. He would like to put a time line together. He asked if 2021 is a realistic goal.

Mr. Apap said we keep addressing the same issues with the same answers. He believed taking a third of the dirt pile away and repurposing it and leaving a much more manageable pile, which would be lawn, is a satisfactory solution until 2021. That would solve the dirt pile issue.

Councilman DeRosa felt that didn't solve the problem but just prolonged it. He felt a more immediate decision needed to be made regarding what could be done with the dirt pile. He felt the great lawn project was overwhelming, with no schedule. He suggested using the dirt for new fields at the rear of Lakeside Park or the new entrance off of West Dover Road.

Supervisor Schmitt said where the master plan shows the new entrance, there will be more fill coming out than fill going in to get it to the grade it needs to be, so it would actually add to the dirt pile. He said he would like to get things moving forward and show good faith from the Board. He felt the PCF should be allowed to move forward with the dog park. If he supported the dog park, he would definitely hold the PCF to the 2021 schedule for the great lawn.

Councilman DeRosa said he did not want to wait until 2021 to move the dirt pile.

Councilman Johnson said the dirt pile came in the middle of the night and the Board thought the next year, they would have a great lawn.

Mr. Apap said he provided a solution to the appearance of the dirt pile.

Councilman McCarthy said when he worked at the Fireman's carnival, people complained about the dirt pile. He didn't think it would grow grass unless there was topsoil place on top of it.

Mr. Apap said at this point, if he didn't see unanimous, enthusiastic support from the Town Board, they would not want to do the great lawn project because they are not fighting an uphill battle. It is a monumental job raising that kind of money and if the Town Board is not in favor of it, they would like a "no" vote so they could move on to another project. They do want a yes vote on the dog park. There is no new information and they need a vote, even if it is a divided vote. They need to start the project. For the great lawn, they need 100% enthusiastic support from the Board.

Supervisor Schmitt asked if the Board didn't support the 2021 start date of the great lawn project, what will happen with the dirt pile.

Mr. Apap said there is no answer for that.

Supervisor Schmitt said that is the major hang up.

Councilman McGrath said he didn't want to make it sound like he is against the great lawn project, he felt the Board was for that project and he felt the Board three years ago was for that project. If the PCF hasn't been able to raise the money to this point, he can't be sitting here if he is reelected in four years and tell the public that he voted for a dog park instead of saving

the money for the great lawn. He wanted to work with the PCF and compromise on their plans. He is for whatever moves the dirt pile as quickly as possible.

Supervisor Schmitt asked the Board if they would be in favor of the PCF allocating the money for the dog park toward the great lawn.

Councilman Johnson said he is all in favor of the great lawn project. He asked if the PCF had looked at doing it in phases.

Mr. Apap said they have looked at that but it makes it more expensive in the net. He said the dog park is approximately a \$74,000.00 and the great lawn project will be in excess of \$300,000.00 and they probably would like to do more things to the great lawn than just the lawn.

Councilman Johnson said he would be in favor of the great lawn if they commit the money they have to it and set up a time line and commit to moving forward.

Supervisor Schmitt asked what the feeling of the PCF would be.

Mr. Apap said if there was 100% enthusiastic support for the PCF doing the great lawn project, it is possible to forgo one to do the other, but the \$74,000.00 for the dog park is very small and will not go very far for the great lawn project. They need a massive fund raising effort on many fronts and all of the support of everyone involved to move that forward. The \$74,000.00 is not going to make or break the great lawn project. They want to do a massive full fund raising campaign next year and they think it can be raised in one year and done the next year. If the Board was enthusiastically behind that, he would be okay to temporarily delay the dog park, do the great lawn on that same time line, as long as everyone is behind it.

Councilman DeRosa said he was happy with the outcome of this discussion.

Supervisor Schmitt said he was 100% for the great lawn project.

Councilman Johnson said there would be a resolution on next week's agenda for the great lawn project.

RESOLUTIONS

The Board discussed the proposed resolutions. Following discussion, it was agreed that the resolutions would be placed on the September 11, 2019 Town Board meeting agenda.

BOARD MEMBER DISCUSSION

JOHNSON

Councilman Johnson said he will be meeting with Shawn Cunningham at the golf course to discuss advertising specials this fall. He is working with Supervisor Schmitt on the Whaley Lake Dam. Pawling Water District #2 needs a new well so he is talking about financing with the bookkeeper and he will be speaking with the Laberge Group regarding applying for grants.

MCCARTHY

Councilman McCarthy said the new compactor has been installed, along with the two new boxes at the transfer station and it is running very well. He and Jay Dickinson, Highway Superintendent have been discussing opening the transfer station on Tuesdays, following Monday holidays next year.

MCGRATH

Councilman McGrath said Senator Kirsten Gillibrand's office is hosting a grant seminar in Hyde Park on Friday, which he will attend. He said he was trying to set up a meeting with Rich Williams, Town of Patterson Supervisor to discuss sharing the sewer line proposed for Route 22 south. He commended Jay Dickenson, Highway Superintendent for helping the Village of Pawling with their recent paving projects.

DEROSA

Councilman DeRosa said it is that time of year to look at the transfer station fees and see how the expenses are going so this can be discussed. He will be meeting with the Town Attorneys regarding his comments on the proposed short term rental local law. On the Whaley Lake Dam, a shed needs to be purchased for the site but we need to understand what needs to be kept there, which will determine the size of the shed. He was at the dam recently and the water is barely up

to the old concrete spillway. He said the residents are concerned about the rail trail along Whaley Lake and felt a fence should be put up along the lake. The residents asked that the Board send a letter supporting the fence.

SCHMITT

Supervisor Schmitt said in the month of August, Senator Harckam awarded the town a grant for the building at Murrow Park. The Laberge Group met with all town departments in town to do a needs assessment for the town. He met with Linda French, Town of Dover Supervisor regarding the new power plant, because he received concerns from residents in Pawling, some people in the school district, regarding the power plant. He reached out to the Senator and he will reach out to some people in New York State and he will be reaching out to them on the town's behalf. He will keep the Board and public informed on this as he gets information. Regarding healthcare, this past summer, the Board passed a resolution to get rid of the lifetime benefit moving forward and the next thing he wanted to address was the contribution. He would like to vote on this next week and what the Board is proposing now is a 30% contribution of the premium for all elected officials, except for the Town Clerk and Highway Superintendent, who, being full time, would contribute 15%. That would be for both the single plan and family plan. He has met with three different healthcare providers and spoken to a lot of surrounding towns to see what their contribution is and how it relates to Pawling, and he felt this would be a good thing. He hoped he had the Board's support to get this done. This contribution would put the town at the higher end of the contribution compared to the surrounding communities, it puts Pawling at the top of the list and he felt this was a good strong move to show the community that the Board is being as fiscally responsible, while being able to attract as many talented people as we can to be involved in these Boards and make tough decisions for the town.

Councilman DeRosa said he supported the Town Clerk and Highway Superintendent because they are actually doing full time jobs. They should be treated the same as the regular full time employees, even though they are elected officials. This is their only job, it is not like the other elected officials who all have other occupations. He is not in favor of increasing contributions for the Highway Superintendent or Town Clerk, any more than they pay as regular full time employees.

Supervisor Schmitt said this would be on the agenda next week. Supervisor Schmitt said regarding the Whaley Lake Dam, since the August 14th meeting in Holmes, the Board has had discussions and meetings with their attorneys and reached out to the construction company who built the dam and engineering firm who designed the dam, and the town is moving forward with its attorneys in a legal capacity. The town is collecting information and turning it over to counsel because the town is going to move forward with whatever it needs to and it is in the hands of the attorneys at this time. He would continue to update everyone as information comes in. The plan is to get this designed, accepted and built this winter.

Councilman DeRosa said he has asked the Town Attorney to look at the map, plan and report to understand what can be done.

TRI VALLEY WAIVER

Supervisor Schmitt said he supported a fee waiver for Tri Valley because it is dealing with first responders of Putnam County and Dutchess County.

Councilman Johnson questioned whether Tri Valley was providing the service to the Sheriff's Office in both counties at no charge. If not, then he is not in favor of waiving the fee.

Following further discussion, Supervisor Schmitt said he would get more information and the Board could discuss this at next week.

PUBLIC COMMENT

Helen Grosso, resident from 14 Tracy Road, said it was nice to hear about the health coverage. She asked what the employees pay for health insurance.

Councilman Johnson said it is a percentage between the single and family plan.

Mrs. Grosso said the Board was going to look at finding another vendor.

Supervisor Schmitt said he interviewed three different providers and is breaking this down into phases. The Board has addressed the lifetime benefit, and now they will address

elected officials. The vendors recommend breaking this into different categories, one is elected, retirees and employees.

Mrs. Grosso said other towns are not giving anything to elected officials and she didn't think 30% was enough for elected officials to contribute. Different towns are at a different scale. She is grateful the Board is making progress. She said other towns have an employee contribution of 20% across the board, not just the difference between the plans.

Councilman Johnson said ten years ago, the idea was to try to get every employee and elected official health insurance. The Board felt that if a person took the family plan, it was extra so they were to contribute to a portion of that, which at the time was a positive change. Health insurance has continued to grow and the Board continues to make changes.

Mrs. Grosso asked who would pay for the work on the lake.

Supervisor Schmitt said a lot of that will be a legal action at this point. He is doing his best to make sure there is no impact on the community.

Mrs. Grosso asked about the three resolutions regarding bonds. Does the Board anticipate getting the money from Mr. Harckham?

Supervisor Schmitt said yes, that is correct. The town will have to put the money out by bonding it, and then get the money back from the grants. There are some match grants but every project is a little different. He said in answer to Mrs. Grosso's question regarding the two proposed local laws, they will be on the agenda next week.

Louis Musella, resident from 40 Gristmill Lane, said he listened to the July 10th podcast, where Supervisor Schmitt had a comment to Glenn Carey saying that he should have spoken sooner regarding the lifetime health insurance. That struck a nerve with him because under Beth Coursen's leadership, Dave Kelly's and Supervisor Schmitt's, he has not spoken up about health insurance. He left it to his fellow residents to speak up. He felt that the people eligible for lifetime benefits should not get it based on their job description and their part time employment. In 2015 on his last day of work, his benefits stopped cold. Now he pays for Part B supplemental prescription coverage, social security, supplemental insurance from AARP, like millions of other Americans in the Country. He did not want to pay for the elected officials lifetime medical benefits and he felt they all knew that it wasn't fair and they don't deserve it. He challenged the people who are eligible for it not to take it, and to live out their retirement years just like the rest of us. After all, they just voted to eliminate the very same benefits for future office holders.

Kenneth Baresich, Vice Chair of the Whaley Lake Committee said he was glad to hear that we will not be bogged down in legal issues and that the work would be implemented before next season. He asked if a weekly meeting could be set up between the committee and town.

Supervisor Schmitt said he did not know that weekly meetings were necessary with the town. The Town has the construction company who constructed the dam, new engineers and legal counsel involved.

Mr. Baresich asked how much of the funding was left for this project.

Supervisor Schmitt said he would get that information for Mr. Baresich.

Councilman Johnson said the town may have to expend the money and then recoup it later. The new engineering firm should be able to come up with the flow designs, and that is what the engineers need to figure out.

Mr. Baresich asked if there was any information from NYS DEC.

Supervisor Schmitt said no, they are waiting for the town to submit information to them.

Gayle Zelazny, Town Justice and resident from 29 Cunningham Lane, said she would like to address the healthcare issue. She commended the Board for looking into this issue because healthcare is a hot topic. Having been a business owner for 30 years, she is keenly aware of the expense involved. She did have a couple of things she would like the Board to consider, one being that she felt it was awkward to change contribution levels for elected officials in mid-term. She believed it would be a violation of the New York Constitution, Article 6, Section 25, known as the compensation clause, which prohibits the decrease in compensation of a judge during their term. She can submit something in writing and case law to support it. With respect to the 30% contribution, that is putting us above the other towns and she would really be interested in the backup research that was done to compare us to the comparable towns, and what their contributions are. She believed the Highway Superintendent and Town Clerk should be treated as full time employees, that is her personal opinion.

Al Greve, resident of Whaley Lake, said he has heard mention that the abutment walls are high. Is that still the case?

Councilman Johnson said the dam was designed at the current level to pass, how much leeway is in it is what we need to find out. The potential of widening the lower spillway may help to compensate but no one has talked about the height of the abutment.

Marty Mygan, resident of South White Rock Road, agreed with Mr. Musella regarding the lifetime benefits. He felt there was something that Supervisor Schmitt could do about it. He said the town would still be paying \$20,000.00 of the family plan for elected officials, even with the 30% contribution.

Supervisor Schmitt said there is a lot involved and there are a lot of moving parts to the healthcare. He said this would amount to approximately \$140.00 per household annually. He felt the 30% contribution was a good step in the right direction.

Mr. Mygan asked if there would be a pay raise for the Town Board to make up for the 30% contribution.

Supervisor Schmitt said no.

Supervisor Schmitt made a motion to adjourn the meeting at 8:30 PM, seconded by Councilman Johnson, motion passed unanimously.

Town Clerk