

Supervisor James Schmitt opened the regular meeting of the town board of the Town of Pawling at 6:00 PM February 7, 2024 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were councilwomen Snow and Pitt, councilmen Mygan and McCarthy, Nancy Tagliafierro, town attorney and approximately 20 interested citizens.

### **PRESENTATION/STARKDALE PARK**

The board entertained a presentation by Mike McCormack, architect from the firm of Liscum McCormack Vanvoorhis, LLP, regarding a proposed development called Starkdale Park, located on Starkdale Farm along West Dover Road. His partner Jonathan Leitersdorf, who is also an architect, was held up in Switzerland, so he is not here tonight. Mr. Moshe Ziv is Mr. Leitersdorf's partner and would also be involved in the development of this project. The development proposed would be a "Blue Zone" project, which would include a hotel, restaurant, single family homes, a winery, farm, a village and trails. This development is about the longevity of a person, and how it can be enhanced, extending the life span of a person. There are five blue zones all over the world, one is in California. These five blue zone developments have the highest concentration of people over one hundred years old. These developments enhance people's lives. It is very healthy living and it is a partnership between Mr. Leitersdorf, his group and the locale. They would embrace the community, and the development of the project will work with the land. There would be a lot of amenities, which would be open to the public. There would be zoning changes necessary in both towns to create the development they are talking about, which is a legal issue. These processes can take an amount of time and this is not an overnight project. They will work with everyone and want input on what will occur on this property. The property is 633 acres and has been sitting for many years. They look forward to continuing the dialogue with everyone, and thanked the board for allowing him to make this presentation. This would be a transparent process and he felt this was a very good project, and he was excited about it. Dutchess County officials are excited about this project. He said there will be an informational meeting on March 12, 2024 at Lakeside Park which would be open to the public. At that time, there would be an opportunity for the public to ask questions.

Supervisor Schmitt said this is a big project and he looked forward to the March 12<sup>th</sup> presentation, and he looked forward to working with everyone on this project.

### **MINUTES**

Supervisor Schmitt made a motion to acknowledge the minutes of January 3, 2024, seconded by Councilwoman Snow, and passed unanimously.

Supervisor Schmitt made a motion to acknowledge the minutes of January 10, 2024, seconded by Councilman McCarthy, and passed unanimously.

### **PUBLIC COMMENT ON AGENDA ITEMS**

Harvey Matcovsky, resident of Holmes, said he has lived in Pawling since the early 1980's, and he is convinced that living in Pawling has added substantially to his life expectancy. He expressed concern about the Starkdale Park project, he was concerned that the lifestyle would drastically change with a development of this size and nature. Castagna promised many things fifteen years ago, and did not follow through, and he expressed concern that the developers of this new proposed project would also make promises that they would not keep. He expressed concern about traffic, more children in the schools, and the tax status of this project and said he could not find any advantage to the average citizen of Pawling, he only saw disadvantages.

### **RESOLUTIONS**

#### **RESOLUTION 2024-047 Approval of Open Top Container Purchase**

WHEREAS, the Manager of the Transfer Station Robert Brill has requested to purchase a heavy duty 20 yard open top container for the handling of metal, and

WHEREAS, Robert Brill has received a quote from Sourcewell for \$8,509.00, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby authorizes the Transfer Station Manager to purchase said heavy duty 20 yard open top container for \$8,509.00.

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

**RESOLUTION 2024-049**  
**Approval of Laberge Contract Addendum**

WHEREAS, the Town of Pawling has been successful in securing a wide variety of grants over the past years, and

WHEREAS, the Town of Pawling is required to provide grant management and administration of each grant which includes, but is not limited to summary reports, drawdown requests, coordination with local, state and federal officials and program staff, and other duties as may be required to manage and closeout program funding, and

WHEREAS, the Town of Pawling has a General Services contract with Laberge Group as well as an annual Grant Writing Contract, and

WHEREAS, to continue services with the Laberge Group a Contract Addendum must be reviewed and executed, and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorized and directs the Town Supervisor to execute contract addendum No. 2022094-03 to be increased by \$5,000 for provision of additional services related to additional reporting requirements due to the awarded grant extension for the 2024 MS4 Grant Administration.

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

**RESOLUTION 2024-050**  
**Obsolete Equipment**

WHEREAS, the Town of Pawling purchases equipment that is for general use of a department or Town wide, and

WHEREAS, each piece of equipment has a useful life expectancy, and

WHEREAS, the equipment becomes obsolete but may contain value, and

WHEREAS, the Supervisor of Buildings and Grounds has deemed this equipment to be no longer useful to Buildings and Grounds and be put out to auction or the salvage to recover any value it may hold,

NOW THEREFORE BE IT RESOLVED, that the equipment is hereby approved by the Town Board of the Town of Pawling to be sent to auction to receive the highest bid price, and

BE IT FURTHER RESOLVED, that any equipment on auction not claimed shall be disposed of under the guidance of New York State Town Law:

DESCRIPTION	VIN/SERIAL NO.
John Deere Rough mower 1445	TC1445D010319
John Deere Fairway mower 3235A	M03235A030506
RayGo Rebel roller	13C0588G
Exmark 61" Zero turn mower LZX940KC606	312612069
Stihl trimmer FS90	286736724
Stihl trimmer FS90	284453930
Stihl trimmer FS130R	50051397
Stihl trimmer FS111R	516901670
Stihl hedge trimmer HS45	253889880
Napa Battery charger 85-1010	020426086
Tohatsu 6hp outboard MFS6C5	041881AC
Generac light tower/generator MLT3060K	1602546
Cushman top dresser TD1500	
John Deere Triplex mower 2653A	TGC2653D080395

**MOTION:** Supervisor Schmitt

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**RESOLUTION 2024-051**  
**Correction of Grievance Day Date**

WHEREAS, Resolution 2024-005 passed on January 3, 2024 erroneously stated Grievance Day was on Wednesday, May 22, 2024, and

WHEREAS, the date for Grievance Day is actually Wednesday, May 29, 2024, and

NOW THEREFORE BE IT RESOLVED, Grievance Day will be Wednesday, May 29, 2024.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilwoman Snow

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**RESOLUTION 2024-052**  
**Appointment of Part Time Laborer**

WHEREAS, a permanent part time laborer vacancy exists in the Buildings and Grounds department, and

WHEREAS, the Supervisor of Buildings and Grounds would like to fill one permanent part time position with Jonathon McGarey, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby approves Jonathon McGarey to be appointed as part time laborer in Buildings and Grounds at the hourly rate of \$17.50.

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

**TOWN BOARD DISCUSSION**

**PITT**

Councilwoman Pitt asked the attorney’s name for the Starkdale Park project.

Supervisor Schmitt said he did not know.

Councilwoman Pitt asked for an update on the PJSC.

Nancy Tagliafierro said she did receive a response to her budgetary questions but she wasn’t sure it was forwarded to the whole board.

Supervisor Schmitt said he reached out to Christine Brown in the Village to try to get the last few years of financial statements, so that Christine Mitchell, town bookkeeper could go through it and explain it to the board. He requested the financial information for 2021, 2022 and 2023. The next PJSC meeting is tomorrow night at 7 PM at village hall.

Councilwoman Pitt suggested putting the Starkdale Park presentation on the website.

Supervisor Schmitt agreed, saying both towns will try to get as many people to the March 12<sup>th</sup> meeting as possible.

Councilwoman Pitt asked how the replacement of the meter project going at PWD #2.

Councilman McCarthy said only fifteen residents have called the operator for meter replacement. The contractor has a list so he will be reaching out to the people who have not reached out to him. It would be good if the residents could reach out to the contractor to have their meters replaced.

**MCCARTHY**

Councilman McCarthy said a meeting has been scheduled for tomorrow with Cathy Giordano, town clerk/water district clerk and Cheryl Knowles, deputy town clerk regarding the changes to the policies of PWD #2. He hoped to get those policies to the board for review and on the website for residents to look.

**SNOW**

Councilwoman Snow said there will be a brief presentation at next week’s meeting regarding the conservation advisory board. This would be just informational regarding how it works. The last CAB convened in 2018.

**MYGAN**

Councilman Mygan said he met with the supervisor and town assessor regarding “The Woods” project to discuss how the town will go about assessing that property. It is in the works and nothing is settled yet, but he is looking into it. There are some outstanding conditions in the planning board resolution pertaining to Castagna that have not been satisfied yet. He spoke with the town attorney and building department to make sure those conditions are fulfilled.

Regarding the PJSC, there is an ongoing negotiation to settle the agreement between the town and the village. The sewer commission is comprised of seven members and he personally felt it needed to be reduced to a five person board, consisting of the mayor, town supervisor, along with one other person from each board. In his opinion, a fifth member should be added from the community, this would be a member of the sewer district. He also felt the pay should be reduced across the board for the PJSC.

Councilman McCarthy said he and supervisor Schmitt proposed that numerous times and the mayor and deputy mayor said no, they would not agree to that.

Supervisor Schmitt said he and councilman McCarthy suggested going to a five member board and lowering the pay, and they said no. He said he and councilman McCarthy felt the PJSC should be an even share from the town and the village, so no one is in complete control and there is equal representation. The village attorneys and engineers represent the sewer commission and the village, so the town does not have equal representation. He suggested having Hogan and Rossi as attorneys to the PJSC also.

Mr. Mygan said he was not looking to add fees, and wondered if there could be a neutral attorney for the PJSC.

Supervisor Schmitt said the town would not agree to raising the PJSC rates until the IMA is updated.

Councilwoman Pitt said this hurdle will not be overcome because the town does not have proper representation at these meetings on the legal level to get us over this hurdle. She asked if we were exploring opportunities to have Hogan and Rossi represent the town.

Ms. Tagliafierro said they would have to be paid by the PJSC, who pays the attorney that represents both the village and the PJSC.

Supervisor Schmitt said that change can never be agreed upon unless it can be agreed upon in the IMA. The IMA needs to be amended, as it is forty years old. There will have to be some serious negotiating between the town and the village. There have been multiple meetings and they will continue to work on this.

### **SCHMITT**

Supervisor Schmitt said on February 5<sup>th</sup>, resident Amy Snowdon turned one hundred years old, and he visited her to wish her happy birthday. Supervisor Schmitt said he and councilman McCarthy met with Mark Chipkin on councilwoman Snow's advice about the conservation committee and gave him some information from other towns on how the CAB works in other towns. There have been three successful Saturdays of selling transfer station permits, over seven hundred stickers have been sold. Supervisor Schmitt said Bob Brill, highway superintendent has been focusing on the dirt roads because it has been warm. He and Mr. Brill met with a contractor who would be working on the Route 22 paving project, which is a huge project and will take place over the summer. It was a productive meeting.

### **PUBLIC COMMENT**

Harvey Matcovsky, resident of Holmes, commended councilman Mygan for looking into the Castagna resolutions. He asked who enforces the resolutions. There was a resolution a few years ago allowing Castagna to start construction and they promised the Resource Center a vehicle. He asked who regulates this. Kids will be entering school from the Castagna development, there is supposed to be a bus stop. Has anyone seen a bus stop under construction?

Councilman Mygan said in the final planning board resolution for Castagna's approval, everything is in writing. He has the file and has spoken to the planning board lawyer regarding this.

Councilwoman Snow said at the time when the van was suggested, the previous executive director of the Resource Center felt they couldn't get drivers so they did not want the van. They proposed a van at Castagna and they would have a driver that would help with the Resource Center. Upkeep of the vehicle was also an issue. It is her understanding that Castagna can't get their certificate of occupancy until they have done their end of the bargain, so they will have to hold up their end of the bargain.

Supervisor Schmitt said before the building inspector signs off on the certificate of occupancy, all conditions need to be met.

The motion to adjourn the meeting was made at 6:55 PM by supervisor Schmitt, seconded by councilman McCarthy, motion passed unanimously.

---

Town Clerk