

Supervisor James Schmitt opened the regular meeting of the town board of the Town of Pawling at 6:00 PM November 8, 2023 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were councilwomen Snow and Pitt, councilmen McCarthy and DeRosa, Nancy Tagliaferro, town attorney, and approximately 15 interested citizens.

PUBLIC HEARING/SOLAR ENERGY LAW

Supervisor Schmitt said the public hearing on the solar energy law was left open at the last meeting, and he asked for any comments from the audience. There were no comments from the audience and the public hearing was left open until the next meeting.

PUBLIC COMMENT ON AGENDA ITEMS

Gayle Zelazny, resident of Pawling and Pawling town justice, said she would like to address the resolution on the agenda to adopt the proposed budget. Justice Zelazny said since last week when she renewed the justice court's request for a part time clerk, only councilwoman Snow has had the courtesy to reach out to her and make inquiries about the court's needs. She has not received any feedback from the rest of the board and she must equate the board's silence with denial. The board's lack of effort to make any inquiry into the legitimate needs of a department before summarily denying a request shocks the conscious. She did not feel the board appreciated the responsibilities that the clerk has. She said the public needs to be helped, so the clerk can't be doing the important work that needs to be done while helping the public, and so there is a backlog. There are numerous disruptions on any given day, which make it impossible for a single clerk to keep up with all of the administrative work. This is on top of the chaos that is created when the clerk is sick or takes a vacation, and the office comes to a complete standstill. State law gives the town wide discretion in budgeting for the justice court but it is in everyone's best interest if we collaborate to provide an effective and efficient department administration. The court needs a budget sufficient to function adequately under the circumstances. When the village abolished their court, all matters previously heard in that court were transferred to the town. The clerk's salary was increased to compensate her for the anticipated increase in work. It was impossible to foresee such an unprecedented increase in the workload, which is a combination of the village responsibilities being turned over and far more tickets being written in general. No matter what the reason, there is too much work to be done in an efficient and timely manner for a single clerk. She again renewed her request to have money appropriated for part time help. She welcomed any comment from anyone on the town board who would like to explain to her why she can't get part time help when the court really needs it.

Councilwoman Pitt said she is very well versed with how the court system operates. She has had numerous conversations about what is going on in the court, and what is needed in the court. It is her understanding that finalizing this budget does not mean that it can't be tweaked or positions added later on. It would be beneficial if correspondence was shared between the court and all of the town board members in email fashion so that everyone is on the same page with the communications. She felt if communications were worked on between the board and the court, maybe we could get somewhere with this.

Justice Zelazny said supervisor Schmitt had cautioned against communicating with the entire board and wanted to have a meeting with two people regarding the budget. When the whole board is involved in emails, there could be public meeting law violations and accusations that illegal meetings were being conducted. She did not know what councilwoman Pitt was looking for to justify what is going on. The court office is open to anyone at any time who wants to come in and see what they do.

Councilwoman Pitt said she is familiar with how all other courts operate and she knows how busy everyone is. She is well versed on how they are staffed, full time versus part time, number of employees, number of justices, number of court nights, etc. She felt communication in writing would be beneficial.

Justice Zelazny said she is telling the board tonight that the court can't function. What more does the board want her to tell them.

Councilwoman Pitt felt it would be helpful to have some numbers and data behind it.

Justice Zelazny said the court clerk has provided that information in the past. She wanted councilwoman Pitt to understand that it is not just the number of cases. It is not just having court nights, it is all of the things that go into it. The clerk is a trained position.

Councilwoman Pitt asked if another clerk was hired, would that person work on records retention?

Justice Zelazny said they are not ready to work on records retention, there is too much to do in the office. She did not envision getting caught up with records retention any time in the near future, because this would require the clerk to be in the basement, and the office would then not be covered and have to be closed.

Councilwoman Pitt asked what kind of personnel would be needed to accomplish records retention. This comes down to communication.

Supervisor Schmitt said this was discussed last year in the budget process, and the clerk received a very sizable raise to take on this workload. He did not know if this year there is enough of a sample size of time to see if another clerk is needed. There was additional help in the court this year.

Justice Zelazny said there was very little help for the four months the clerk was out. So, this only added to the backlog because the clerk that was hired had a full time job in another court, so she only came in on court nights and sometimes on the weekends.

Supervisor Schmitt said he has checked in with other courts and they have two part time clerks.

Councilwoman Snow said justice Zelazny has come here two times to speak to the board. She felt any board member could have reached out to justice Zelazny. Councilwoman Snow said she also reached out to justice Wansley to get his opinion, and he feels a part time clerk is needed. She met with the court clerk, and a lot of this is administrative work. Councilwoman Snow asked about the trial that was scheduled for today and tomorrow.

Justice Zelazny said the trial was cancelled, but had it not been canceled, the court would have been closed during the trial for at least two days.

Councilwoman Snow said it is important to remember that any judge can bring in a part time clerk. In her opinion, the money has to be allotted tonight in the budget in order to be proactive. She felt the court needed a part time clerk. The board saw when the clerk took leave for four months that the court needed help. Justice Zelazny is once again coming to the board asking for help. She felt before the budget was adopted, she would like to make a motion to put a part time clerk in the budget, in case the new justice beginning in January wants a clerk.

Supervisor Schmitt said then the court could work with two part time clerks. His concern was that it was a large increase in that department that the board granted, and it was because of the anticipated workload, and there is no data that there was any increased workload.

Justice Zelazny asked if the board required data from other departments that they give clerks to and part time help.

Supervisor Schmitt said the board always has supporting documents for what it is and why, absolutely.

Justice Zelazny said she was very transparent about the fact that the clerk received a raise, she is not trying to hide it. She is simply stating that it is very hard to give the board the data that it wants because the things that need to be done are in large part administrative. It's not just about the number of cases the court has, it is about everything that goes into running the court. It is a very time consuming and technical thing, the clerk must be trained. Serving the public detracts from the amount of time she can focus on getting everything else done. It has been suggested they have an additional court session. That doesn't work because it takes at least a day to prepare for court. It's the whole package.

Councilwoman Pitt asked if a plea by mail system was discussed. Is it possible that she could make a request to the DA's office to do that?

Justice Zelazny said councilwoman Pitt could inquire about it. This is something that was sanctioned during Covid. She believed only one court in Dutchess County does plea by mail and it doesn't alleviate the work the clerk does.

Councilwoman Pitt said it could lessen the court docket.

Councilwoman Snow said she would wait until the budget resolution was up for adoption to discuss this further but felt the board needed to be proactive and put a part time clerk in the budget in the event the new town justice wants to bring in a part time clerk.

Councilwoman Pitt felt the new justice should be involved in picking a clerk.

Councilwoman Snow said she was not talking about picking a clerk, she was talking about funding it in the budget.

Councilman DeRosa said at times, he could see that the court could use someone else.

RESOLUTIONS

**RESOLUTION 2023-153
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 20231354 through 20231491, and

NOW THEREFORE BE IT RESOLVED, that the town board of the Town of Pawling 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 \$1,117,761.76.

MOTION: Supervisor Schmitt
SECOND: Councilman McCarthy

ROLL CALL VOTE:

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

**RESOLUTION 2023-156
Approval of Use of ARPA Funds for Various Town Improvements**

WHEREAS, the Town of Pawling received a partial payment of American Rescue Plan Act (ARPA) funds from the Federal Government, and

WHEREAS, ARPA funds may be used on IT improvements, infrastructure improvements such as capital improvements to the Town of Pawling, and

WHEREAS, the Town Board plans to use the funds to complete a variety of projects throughout the Town of Pawling, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby approves the use of \$25,000.00 of ARPA funds to fully fund the following projects:

- 1. Town Hall Generator \$21,000.00
- 2. Town Hall Exterior Lighting \$4,000.00

MOTION: Supervisor Schmitt
SECOND: Councilman DeRosa

ROLL CALL VOTE:

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

RESOLUTION 2023-159

Escrow Release

WHEREAS, the planning board recommends to the town board that there are no outstanding bills and that there will be no future bills for review and recommended that these funds be released, pending approval from the building department, code enforcement officer, and

NOW THEREFORE BE IT RESOLVED, that the Town of Pawling planning board refers to the town board releases of the following balances in escrow and authorizes the bookkeeper to release such funds:

1. Dana Burgarella	Environmental Permit	\$350.00
2. Doran Delgado	Environmental Permit	\$125.00
3. Antoinette Depaoli	Site Plan	\$353.20
4. Christopher Gavin	Environmental Permit	\$275.00

MOTION: Supervisor Schmitt

SECOND: Councilman DeRosa

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2023-160

Budget Amendments for Fiscal Year 2023

WHEREAS, a request for budget amendments has been received from the bookkeeper, and

WHEREAS, normal course of business activity throughout 2023 has prompted the bookkeeper to determine that various budget items should be amended to allow for the Town of Pawling to continue conducting business as usual, and

NOW THEREFORE BE IT RESOLVED, that the bookkeeper has requested the following budget amendments:

A Fund	ACCOUNT	ACCOUNT	CURRENT		REVISED	
	DESCRIPTION	NUMBER	BUDGET	INCREASE	DECREASE	BUDGET DESCRIPTION
Expenditures						
	Supervisor	A.1220.4	8500	500		9000 Revised Budget
	Supervisor	A.1220.10	89960		-500	89460 Revised Budget
	Budget	A.1340.4	28000	10000		38000 Revised Budget
	Health Insurance	A.9060.80	537520		-10000	527520 Revised Budget
	Building Maint. Contracts	A.1620.415	38,000	3,800		41,800 Revised Budget
	Buildings Fuel Oil/Propane	A.1620.416	46,500		-6,000	40,500 Revised Budget
	Gas & Electric	A.1620.417	41,000		-6,000	35,000 Revised Budget
	Bldgs lease/rental agreements	A.1620.420	2,000	250		2,250 Revised Budget
	Bldgs Vehicle Gas & Maint	A.1620.424	15,500	4,350		19,850 Revised Budget
	Bldgs Maint & Repairs	A.1620.426	20,000	3,600		23,600 Revised Budget
	Parks Gas & Electric	A.7110.417	5,000		-1,500	3,500 Revised Budget
	Parks Permits	A.7110.450	15,000	1,500		16,500 Revised Budget
	Golf Course Maint. Contracts	A.7250.415	20,000	1,500		21,500 Revised Budget
	Golf Course Gas & Maint.	A.7250.424	10,000		-1500	8,500 Revised Budget
	Other Rec Programs	A.7310.100	38,500	1,500		40,000 Revised Budget

Teen Center Equipment	A.7145.2	1,500		-1500	0	Revised Budget
Youth Programs	A.7320.4	23,000		-900	22,100	Revised Budget
Beach & Pool	A.7230.4	6,000	2850		8,850	Revised Budget
Youth Programs	A.7320.4	22,100		-2850	19,250	Revised Budget
Triathlon Expenses	A.7310.441	16,000		-750	15,250	Revised Budget
Auditor	A.1320.4	8,250		-5550	2,700	Revised Budget
Attorney	A.1420.40	100,000	20000		120,000	Revised Budget
Health Insurance	A.9060.80	557,520		-20000	537,520	Revised Budget
Golfcourse Wages	A.7260.1	72,680	5000		77,680	Revised Budget
Golfcourse Contractual	A.7260.4	10,320	5000		15,320	Revised Budget
Health Insurance	A.9060.8	527,520		-10000	517,520	Revised Budget
Beach & Pool	A.7230.400	8,850	500		9,350	Revised Budget
Health Insurance	A.9060.80	517,520		-500	517,020	Revised Budget

2,122,760 49,850 -57,050 2,115,560

A Fund

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Revenues						
Beach or Pool Fees	A.2025	70,000		-17,000	53,000	Revised Budget
PARK & Rec Charges	A.2001	75,000	17,000		92,000	Revised Budget
Facility Use	A.2001.103	40,000		-10,000	30,000	Revised Budget
Summer Camp Revenue	A.2001.101	198,000	1,500		199,500	Revised Budget
Triathlon Event Income	A.2091	23,000	1,300		24,300	Revised Budget
		406,000	19,800	-27,000	398,800	

B Fund

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Planning Board	B.8020.400	5,000	1,000		6,000	Revised Budget
Zoning Board	B.8010.400	2,500		-1000	1,500	Revised Budget

MOTION: Supervisor Schmitt
SECOND: Councilwoman McCarthy

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2023-161
Adopting 2024 Budget

WHEREAS, on November 1, 2023 the town board of the Town of Pawling duly held a public hearing on the preliminary budget for the fiscal year 2024, at which time the public was invited to attend and be heard, and

WHEREAS, the town board heard all persons desiring to be heard in the matter, and the matter of the budget for the town for said fiscal year was fully discussed and considered by the town board, and

NOW THEREFORE BE IT RESOLVED that the final budget, as incorporated herein and made a part hereof, is hereby adopted as the annual budget of the Town of Pawling for the fiscal year beginning the 1st day of January, 2024 and that such budget as so adopted be entered in the minutes of the town board, and

BE IT FURTHER RESOLVED that the town clerk of the Town of Pawling, Catherine Giordano, shall prepare and certify in duplicate, copies of said annual budget as adopted by this town board, and deliver one copy thereof to the town supervisor James Schmitt.

MOTION: Supervisor Schmitt
SECOND: Councilwoman Snow

Councilwoman Snow said before the board adopts the budget, it is her opinion that the board would be doing a service to have a part time clerk in the budget, she made a motion to have the board approve the part time clerk position in the court.

Councilwoman Pitt asked how a part time clerk position could be put in when they do not have information.

Councilman McCarthy said the board can't just throw a number out there, the board needs some kind of confirmation as to a dollar amount. He did not disagree with any of this. He asked if it is something that could be looked at in three or six months. There is money in reserve and there is contingency money. He did not know if the board was prepared with a dollar amount and number of hours. It is hard for the board to adopt a motion without concrete numbers.

Councilman DeRosa said if the board finds out when the new judge comes on that there is a necessity for this, there is money in the contingency fund to fund this.

Councilwoman Snow asked bookkeeper Christine Mitchell if the new justice decides they want a part time clerk, come January 1st, would the board have the money to put this in the budget.

Ms. Mitchell said the board can amend the budget any time, as they do at monthly meetings.

Supervisor Schmitt said he would like more time than January 1st to get more supporting documentation.

Councilwoman Snow said she just needed to know that money could be allotted if needed.

Ms. Mitchell said absolutely.

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2023-162

Awarding Bid for Water District No. 2 Meter Replacement Materials

WHEREAS, bids were duly advertised and noticed for Meter Replacement materials for Water District No. 2, and

WHEREAS, the Town Clerk conducted a bid opening on November 1, 2023, and

WHEREAS, the Consulting Engineers, Laberge Engineering & Consulting Group Ltd., have submitted their report relative to their analysis of bids, and

NOW THEREFORE BE IT RESOLVED, that the recommendation of said Engineers be hereby accepted, approved and adopted, and

BE IT FURTHER RESOLVED, that Water District No. 2 Water Meter Replacement (Materials) be hereby awarded to:

Schmidt's Wholesale, LLC
150 Jefferson Street
Monticello, NY 12701

in the amount of \$12,510.60.

MOTION: Supervisor Schmitt
SECOND: Councilman McCarthy

ROLL CALL VOTE:

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

RESOLUTION 2023-163
Awarding Bid for Water District No. 2 Meter Replacement Installation

WHEREAS, bids were duly advertised and noticed for Meter Replacement Installation for Water District No. 2, and

WHEREAS, the Town Clerk conducted a bid opening on November 1, 2023, and

WHEREAS, the Consulting Engineers, Laberge Engineering & Consulting Group Ltd., have submitted their report relative to their analysis of bids, and

NOW THEREFORE BE IT RESOLVED, that the recommendation of said Engineers be hereby accepted, approved and adopted, and

BE IT FURTHER RESOLVED, that Water District No. 2 Water Meter Replacement (Installation) be hereby awarded to:

Oram Contracting, LLC
8 Ostrander Road
Ghent, NY 12075

in the amount of \$39,800.00.

MOTION: Supervisor Schmitt
SECOND: Councilman DeRosa

ROLL CALL VOTE:

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

RESOLUTION 2023-164
Appointment of Fire Commissioner

WHEREAS, the Pawling Fire District is overseen by the board of fire commissioners that are appointed jointly by the Town of Pawling and Village of Pawling, and

WHEREAS, the board of fire commissioners has recommended that Sean Dalrymple be appointed to the open seat, and

NOW THEREFORE BE IT RESOLVED, that the town board of the Town of Pawling hereby appoints Sean Dalrymple to a five (5) year term effective 1/1/2024 and ending on 12/31/2029.

MOTION: Supervisor Schmitt
SECOND: Councilman McCarthy

ROLL CALL VOTE:

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

RESOLUTION 2023-165
Requiring a Restoration Bond – ASPCA

WHEREAS, in connection with ASPCA’s request to reduce a Restoration Bond, the Town Board is in receipt of the recommendation of the Planning Board in which it was determined that no reduction is warranted, and

NOW THEREFORE BE IT RESOLVED, the Town Board hereby sets the Restoration Bond amount at \$544,000 said amount being the same as the prior year’s amount, and

FURTHER BE IT RESOLVED, if and when restoration activity occurs on the premises, ASPCA can request a reduction at that time, which will be reviewed and considered accordingly.

MOTION: Supervisor Schmitt
SECOND: Councilman DeRosa

ROLL CALL VOTE:

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

RESOLUTION 2023-167
Introducing Local Law ___-2023 and Providing for Public Notice and Hearing

BE IT RESOLVED that an amendment to Pawling Town Code Chapter 191 regarding the use of the Transfer Station, is hereby introduced by _____, as Introductory Local Law # _____ of the year 2023 before the Town Board of the Town of Pawling in the County of Dutchess and State of New York, and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Amendment, which is attached hereto, be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on said proposed Amendment at the Town Hall, in the Town of Pawling, New York at 6:00 P.M. on November 29, 2023, and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of Pawling of said public hearing at least five (5) days prior thereto.

MOTION: Supervisor Schmitt
SECOND: Councilwoman Pitt

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

LOCAL LAW NO. __ OF THE YEAR 2023

**A LOCAL LAW AMENDING CHAPTER 191 OF
THE TOWN CODE OF THE TOWN OF PAWLING
REGARDING THE TOWN TRANSFER STATION**

BE IT ENACTED by the Town Board of the Town of Pawling, County of Dutchess, as follows:

Section 1: A Chapter 191, Section I of the Pawling Town Code entitled “Transfer Station; Recycling”, Article I regarding “Transfer Station” shall be amended to authorize the use of and issuance of stickers to utilize the Town Transfer Station to taxpayers of the Town of Pawling and taxpayers of the Pawling Central School District, as follows:

§ 191-5 General restrictions.

- A. No transfer station permit shall be transferred to or placed upon a vehicle not registered to a ~~resident of the~~ **an individual who is not a taxpayer of the Town of Pawling or the Pawling Central School District.**
- B. No transfer station permit shall be transferred to or placed upon a vehicle not listed with the Town Clerk as the vehicle designated for such permit use.
- C. No transfer station permit may be purchased for or by a ~~nonresident of the Town or Village of Pawling~~ **an individual who is not a taxpayer to the Town of Pawling or the Pawling Central School District.**
- D. No transfer station permit may be used for or by a ~~nonresident of the Town or Village of Pawling~~ **an individual who is not a taxpayer to the Town of Pawling or the Pawling Central School District.**
- E. No transfer station permit may be used by a ~~resident~~ of the Town of Pawling **or the Pawling Central School District** unless it is properly displayed upon and affixed to the designated vehicle pursuant to § **191-3.**
- F. The transfer station is open to ~~town residents~~ **taxpayers of the Town of Pawling or the Pawling Central School District** only.

Section 2. When Effective. This Local Law shall take effect upon its adoption and filing with the Secretary of State in accordance with the provisions of §27 of the Municipal Home Rule Law.

TOWN BOARD DISCUSSION

SETTING PUBLIC HEARING/TRANSFER STATION CHANGES

Councilman McCarthy said he wanted to update the software system and scanner and allow residents who pay school tax to the Town of Pawling to also use the transfer station. He is trying to get more members to come in. He and supervisor Schmitt had a meeting with the union, and they have agreed to allow the town to hire two part time attendants to man the transfer station, which will save money. The transfer station is in pretty good shape.

Councilman DeRosa said the board discussed reducing the price mid-year so people don't have to pay full price. The number of stickers has gone down each year, it is now under 700 per

year when it was 850 per year in the past. The board is trying to do the best they can to increase the participants. The board also talked about looking at different ways to pay for the stickers.

PUBLIC COMMENT

Harvey Matcovsky, resident of Holmes asked what caused the \$20,000.00 increase in attorney's fees in the budget.

Councilman McCarthy said Mr. Matcovsky is asking about the budget amendments.

Christine Mitchell, town bookkeeper said the attorney's line has been going over the \$100,000.00 allotted for a few years now. There has been some support for different departments which has come from legal, as well as some additional cases, which is why the budget was increased for 2023.

Mr. Matcovsky said the homeowners of Whaley Lake deserve to have their grievances taken seriously and they deserve to have corrected the admitted error in the construction of the dam. He hoped people would understand that there are approximately 300 citizens who paid millions of dollars to build a dam that was admittedly not constructed in the proper way. He hoped the board would now go ahead and seriously consider these grievances and correct the errors made.

Peter Bissonette, resident from Whaley Lake said the residents were told that the reason why they had to pay a quarter of a million dollars for a piece of property was to build a road down to the dam because the existing road was too steep. He asked who said it was too steep to get the equipment down there.

Councilman DeRosa said the board was told by the consultants that it wasn't an adequate access to do the type of construction that needed to be done to the dam, which is why the new road was needed.

Mr. Bissonette said the piece of property Mr. Benko owns was set aside in perpetuity as the dam keepers house, and to be used to rebuild the dam. Since there was a right of way in perpetuity, he did not understand why the residents had to pay for the other parcel to build the road. He believed the town erroneously allowed the Benko's to build the house across the right of way. The district residents are paying for the towns error.

Supervisor Schmitt said he did not feel there was anything the current board could do about this now, this was done so long ago.

Councilman DeRosa congratulated the winners of the election. He wished Marty Mygan and Coleen Snow good luck.

Councilwoman Snow thanked councilman DeRosa for his years of service, saying the board will miss his expertise and all of the history he has brought to the board.

Supervisor Schmitt made a motion to adjourn the meeting at 6:50 PM, seconded by councilman McCarthy, motion passed unanimously.

Town Clerk