

Supervisor James Schmitt opened the regular meeting of the town board of the Town of Pawling at 6:00 PM September 13, 2023 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were councilwomen Snow and Pitt, councilmen McCarthy and DeRosa, Nancy Tagliafierro, town attorney, and approximately 6 interested citizens.

MINUTES

Supervisor Schmitt made a motion to acknowledge the minutes of September 6, 2023, seconded by Councilman McCarthy, and passed unanimously.

PUBLIC COMMENT ON AGENDA ITEMS

Harvey Matcovsky, resident of Holmes, asked the bookkeeper about interest rates regarding B.A.N.'s and long term bonding.

Christine Mitchell, bookkeeper said the bonding Mr. Matcovsky is talking about is for PWD #2.

Mr. Matcovsky said that answered his question.

RESOLUTIONS

**RESOLUTION 2023-131
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 20231066 through 20231210, 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 \$428,000.62.

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 2023-132
Appointment of Court Officers**

WHEREAS, the town board, by Resolution #2022095 appointed New York State Court Officers to serve the Town’s Justice Court; and

WHEREAS, in order to certify payroll for the officers, the Dutchess County Personnel Department has requested that Peace Officer Registry forms be completed and that an Oath of Office be signed by the town clerk for each officer with a one year term and reappointment at the reorganization meeting; and

WHEREAS, for purposed of the County payroll only, the New York State Court Officers shall be referred to as “Constables”; and

NOW, THEREFORE, BE IT RESOLVED that the New York State Court Officers shall complete and file with the bookkeeper the required Peace Officer Registry Forms, which shall include each officer’s name, position of “Constable”, start and end date and department and

BE IT FURTHER RESOLVED, that each New York State Court Officer complete his or her Oath of Office, to be administered by the town clerk; and

BE IT FURTHER RESOLVED, that this resolution be considered an amendment to resolution #2022095.

MOTION: Supervisor Schmitt

SECOND: Councilwoman Pitt

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman DeRosa – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2023-134
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 Highway Superintendent has deemed this equipment to be no longer useful to the Highway Department and be put out to auction or to 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.
1973 Caterpillar 950 Wheel Loader	8156231

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 2023-135
Approval for New York State Magistrates Conference Attendance

WHEREAS, a request to attend the annual New York State Magistrates conference from October 1st – October 4th was made by Hon. Gayle Zelazny, and

WHEREAS, Section 77-b of the General Municipal Law authorized the governing board of a municipality to authorize any of its members, any officer or employee, or any other person who has been elected pursuant to law to a public office for which the term has not commenced, to attend a conference as defined in Section 77-b (c).

NOW THEREFORE BE IT RESOLVED, the attendance of Hon. Gayle Zelazny at the annual New York State Magistrates conference is hereby approved by the Town Board of the Town of Pawling.

MOTION: Supervisor Schmitt
SECOND: Councilwoman Snow

ROLL CALL VOTE:

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

RESOLUTION 2023-136

Approval of Change Order for Demolition and Removal of the Lakeside Park Boathouse

WHEREAS, the Town Board of the Town of Pawling has accepted the bid of Dan’s Hauling and Demo, Inc. and,

WHEREAS, the Town Board, during the May 10, 2023 meeting of the Pawling Town Board, authorized a bid in the amount of \$383,500.00 to complete the demolition and removal of the Lakeside Park Boathouse, and

WHEREAS, the removal of unanticipated steel structural members, removal of contaminated wood flooring, and cleaning of remaining steel structure for future reuse, created an additional cost of \$28,909.63 and,

WHEREAS, the application of credits from Change Order No. 1 regarding clean concrete disposal was \$55,000.00.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling does hereby approve the current contract price of Change Order No. 2 for a total of \$357,409.63.

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 2023-138

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. Patricia Calandro	Lot Line Adjustment	\$850.71
2. Guy Phillips	Environmental Permit	\$250.00
3. Henry & Nancy Elghanayan	Lot Line Adjustment	\$950.00
4. Ronald Grelsamer	Subdivision	\$1,375.70
5. Randy & Mindy Levine	Lot Line Adjustment	\$625.00
6. William & Theresa Martabano	Environmental Permit	\$256.25
7. Sally Waldorf	Environmental Permit	\$362.50
8. Whaley Lake Properties	Special Use Permit for Accessory Apartment	\$792.24

MOTION: Supervisor Schmitt
SECOND: Councilwoman Pitt

ROLL CALL VOTE:

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

RESOLUTION 2023-139
Facilities Use Request

WHEREAS, the Town of Pawling operates facilities that from time to time will be used by the public for events other than the Town’s own usage, and

WHEREAS, the recreation director will periodically receive request for special considerations once all application and insurance requirements are met, and

WHEREAS, the town board of the Town of Pawling sets the fees for the use of facilities, and

NOW THEREFORE BE IT RESOLVED, that the following waiver(s) have been authorized by the town board: Pawling Community Foundation – Alcohol Waiver, Alcohol Control Plan.

MOTION: Supervisor Schmitt
SECOND: Councilwoman Pitt

ROLL CALL VOTE:

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

RESOLUTION 2023-140
Authorization of Town Clerk to Advertise for Heating Fuel Oil and Service of Oil-Fired Heating Equipment Re-Bids

WHEREAS, bids were duly advertised and noticed for the provision of heating fuel oil and service boiler maintenance service for the year 2023-2024, and

WHEREAS, the Town of Pawling wishes to reject all bids and re-advertise new bids for heating fuel oil and boiler maintenance service, and

WHEREAS, the town board of the Town of Pawling wishes to authorize its town clerk, Catherine Giordano, to re-advertise for bids for heating fuel oil and service boiler maintenance service for the year 2023-2024, and

NOW THEREFORE BE IT RESOLVED, the town board of the Town of Pawling hereby authorizes its town clerk, Catherine Giordano, to advertise for re-bids for heating fuel oil and service boiler maintenance service for the year 2023-2024.

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 2023-141
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 DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditures						
Building Maintenance	A.1620.415	34,000	4,000		38,000	
Building Electric	A.1620.417	45,000		-4,000	41,000	
Central Data Processing	A.1680.400	22,000	5,000		27,000	
Auditor	A.1320.400	21,650		-5000	16,650	
Triathlon Expense	A.7310.441	15,000	1,000		16,000	
Summer Camp	A.7320.100	97,000	3000		100,000	
		234,650	13,000	-9,000	238,650	

A Fund						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Revenue						
Triathlon Revenue	A.2091	22000	1000		23000	
Summer Camp Revenue	A.2001.101	195000	3000		198000	
		585,300	4,000	0	592,300	

DB Fund

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditure						
Retirement	DB.9010.8	65,340	300		65,640	Revised Budget
Health Insurance	DB.9060.8	288,580		-300	288,280	Revised Budget
		353,920	300	-300	353,920	

SW2 Fund

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditure						
BAN Interest	SW2.9730.7	3,800	4,430		8,230	Interest Rate Increase
Source of Supply, Power & Pump	SW2.8320.4	15,000		-4,430	10,570	
		18,800	4,430	-4,430	18,800	

MOTION: Supervisor Schmitt
SECOND: Councilwoman Pitt

ROLL CALL VOTE:

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

DISCUSSION

DEROSA

Councilman DeRosa said there have been problems with the bathroom at the golf course due to people throwing paper towels in the toilet. He suggested putting a hand dryer in the bathroom instead. Councilman DeRosa said he attended a meeting of the Dutchess County planning board, where there were two presentations. One was for a new system which will include all natural resource inventory, zoning, etc. which will be available November 30th. The other presentation was regarding the New York State Pro Housing Committee’s program, which is something the town board should look at and decide whether or not the town would like to participate.

SNOW

Councilwoman Snow announced that there are many events going on in the town. She said the Fayne Daniels walk so they may ride fundraiser for the Pawling Resource Center will take place this Saturday. This is one of their biggest fund raisers. Councilwoman Snow said the Rotary fall fest fundraiser is a week from Saturday, which is a free event for all families, and is their biggest fundraiser. She congratulated the Pawling library for being honored for the great stories club for under served teens. The library received two grants and will utilize those grants for teens.

MCARTHY

Councilman McCarthy said the board of health approved the current fields at the old Inn at Lakeside Park, which will save the town a lot of money. The only thing the town will need to do is put in a tank to pump up to the fields.

PITT

Councilwoman Pitt said she received confirmation from Dutchess County that they have received the necessary paperwork for the speed limit project, and have forwarded it to New York State. She will follow up on this in about a week. Councilwoman Pitt said at Lakeside Park, people have a difficult time putting their dogs on a leash and she suggested raising the fine for dogs not on a leash. She asked people to put their dogs on a leash. She would like to see toboggan run opened again, she thought that was awesome. She said the Dutchess County link for natural resources could be added to the new website.

Councilwoman Snow said legislative aide Stephanie Giordano did a lot of work on the new website and was a big help.

SCHMITT

Supervisor Schmitt said he spent time with highway superintendent Bob Brill in Holmes this week. The highway department is working hard on the roads in that area.

SET PUBLIC HEARING/SOLAR ENERGY LOCAL LAW

Following discussion, supervisor Schmitt made a motion to schedule the public hearing for the solar energy local law for November 1, 2023, seconded by councilman DeRosa, motion passed unanimously.

PUBLIC COMMENT

Harvey Matcovsky, resident of Holmes, said the Pawling resource center and Pawling rotary are the most worthy organizations supporting this community, and they both deserve the community's support. Mr. Matcovsky said Yom Kippur is the holiest day of the year for observant Jews. This year it falls on September 25th and he urged the town board to change the Pawling zoning board of appeals meeting scheduled for that date out of respect for the holiday. He also said he hoped there would be a public debate for the November election so that the public can question town board candidates on the many issues facing the town.

Marty Mygan, resident from one Aspen Court said he has brought up in the past that the elected town officials should be required to annually file a financial disclosure statement, that includes employment history, involvement in private or public organizations and other financial or business interests. There is no financial disclosure required in Pawling government. He believed this should be required to give residents confidence in local government and he hoped the board would consider it.

EXECUTIVE SESSION

Supervisor Schmitt made a motion at 6:30 PM to adjourn and go into executive session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension or removal of a particular person or corporation, seconded by councilwoman Pitt, motion passed unanimously.

The Board returned from executive session at 7:20 PM, no action was taken.

Town Clerk