

Supervisor James Schmitt opened the regular meeting of the town board of the Town of Pawling at 6:00 PM June 12, 2024 at Pawling Town Hall, 160 Charles Colman Blvd., Pawling, New York. Present were councilwomen Snow and Pitt, councilman Mygan, Nancy Tagliaferro, town attorney, and approximately 50 interested citizens. Councilman McCarthy was absent.

MINUTES

Supervisor Schmitt made a motion to acknowledge the minutes of May 1, 2024, and May 8, 2024, seconded by Councilwoman Snow, and passed with a majority vote, as councilwoman Snow was absent.

Supervisor Schmitt made a motion to acknowledge the minutes of May 20, 2024, seconded by councilman Mygan, passed with a majority vote, as councilwoman Pitt was absent.

RESOLUTIONS

**RESOLUTION 2024-088
Payment of Bills for the Town of Pawling**

WHEREAS, the Town of Pawling bookkeeper has reviewed and prepared the vouchers for Town of Pawling 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 20240590 through 20240749, 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 \$481,480.32.

MOTION: Supervisor Schmitt

SECOND: Councilwoman Pitt

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**RESOLUTION 2024-089
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:

1. Pawling Youth Hockey – Alcohol Waiver, Alcohol Control Plan
2. Pawling Republican Committee – Alcohol Waiver, Alcohol Control Plan

MOTION: Supervisor Schmitt

SECOND: Councilwoman Snow

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-090

Authorizing the Permanent Appointment of Assistant Recreation Director

WHEREAS, Danielle Petriccione was hired provisionally in June 2022 until the Civil Service exam for assistant recreation director was announced and taken, and

WHEREAS, Danielle Petriccione scored high on the list that was provided to the town deemed reachable for permanent appointment, and

NOW THEREFORE BE IT RESOLVED, Danielle Petriccione shall serve as full time permanent assistant recreation director.

MOTION: Supervisor Schmitt

SECOND: Councilman Mygan

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-091

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. Aladar Gymesí	Subdivision	\$93.10
2. Victoria Reinhold	Subdivision	\$29.68
3. Mission Hill Estates	Subdivision	\$8,620.23
4. Ethan Kelly	Environmental Permit	\$131.25

MOTION: Supervisor Schmitt

SECOND: Councilwoman Pitt

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-092
Revised Budget – Lakeside Park Pavilion

WHEREAS, normal course of business activity throughout the year 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 revisions:

Lakeside Pavilion Project		6/12/2024
Account Number	Account Name	Revised Budget
Revenues		
HPP.3097	NYS-OPR	500,000.00
HPP.5031	ARPA	100,000.00
HPP.5031	General Fund	52,115.00
HPP.5710	Bond	900,000.00
HPP. 2401	Interest	0.00
	Total Revenues	1,552,115.00
Expenditures		
HPP.1440.21	Design, Contract Mgmt, ect.	199,950.00
HPP.1440.22	Contract Mgmt	0.00
HPP.1620.21	Demolition/sign, Start up	414,415.00
HPP.1620.22	Bathroom/Pavilion	920,275.00
HPP.1380.20	Fiscal Agent Fees	9,450.00
HPP.1420.20	Bond Counsel, etc.	8,025.00
	Total Expenditures	1,552,115.00

MOTION: Supervisor Schmitt
SECOND: Councilman Mygan

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-093
Revised Budget – Quaker Lake Road & River Road

WHEREAS, normal course of business activity throughout the year 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 revisions:

QUAKER LAKE ROAD					
To recognize FEMA revenue received for Quaker Lake Rd pre storm reconstruction and Transfer Funds to Capital Project to begin work					
	DB.9950.9	Interfund Transfer	\$240,665.14		
	DB.3960	NYS Portion of FEMA		\$24,066.51	
	DB.4960	Federal Portion of FEMA		\$216,598.63	
	HFE.5112.2	Road grading, drainage, etc.	\$240,665.14		
	HFE.5031	Interfund Transfer		\$240,665.14	
RIVER ROAD					
To recognize FEMA revenue received for River Rd pre storm reconstruction and Transfer Funds to Capital Project to begin work					
	DB.9950.9	Interfund Transfer	\$240,000.00		
	DB.3960	NYS Portion of FEMA		\$24,000.00	
	DB.4960	Federal Portion of FEMA		\$216,000.00	
	HFE.5112.2	Road grading, drainage, etc.	\$240,000.00		
	HFE.5031	Interfund Transfer		\$240,000.00	

MOTION: Supervisor Schmitt
SECOND: Councilman Mygan

ROLL CALL VOTE:

Councilwoman Pitt – “AYE” Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT” Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-094
Authorizing Renewal of Liability Insurance Policy

WHEREAS, the town’s commercial insurance policy expires in June 2024, and prior to its expiration, the town board requested proposals from insurance brokers, and

WHEREAS, the town board received two proposals in response from Emery & Webb submitted by Account Executive and Branch Manager Lori Johnson and Account Manager Beth Metzler, and

WHEREAS, the proposal details all coverages and limits for liability, property, crime, equipment, auto, public officials, law enforcement, umbrella coverages, boiler, and machinery coverage, and

WHEREAS, the following proposals were received;

- 1. NYMIR \$190,568.90
- 2. Selective \$138,213.78

NOW THEREFORE BE IT RESOLVED, that the town board of the Town of Pawling approves and accepts the proposal from Emery & Webb to renew its commercial insurance policies for an annual premium cost of \$138,213.78, and

BE IT FURTHER RESOLVED, that the town supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this resolution, consistent with the terms hereof, all in form satisfactory to the supervisor and the town attorney.

MOTION: Supervisor Schmitt

SECOND: Councilwoman Pitt

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-095
Authorization of Inter-Fund Loan

WHEREAS, the town board of the Town of Pawling from time to time authorizes loans from funds to fund the initial cost of a project prior to grant funding being received, and

NOW THEREFORE BE IT RESOLVED, that the town board of the Town of Pawling does hereby authorize the following inter-fund loan:

1. \$500,000 from the general fund to the Lakeside pavilion capital project
2. This loan shall be paid in full with an interest rate of 4%

MOTION: Supervisor Schmitt

SECOND: Councilwoman Snow

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-096
Approval of Special Inspections for Lakeside Park Boathouse Project

WHEREAS, proposals for the required special inspection services were solicited for the Lakeside Park Boathouse Improvements Project, and

WHEREAS, the consulting engineers, Laberge Engineering & Consulting Group, Ltd. have submitted their report relative to their analysis of proposals, and

NOW THEREFORE BE IT RESOLVED, that the Lakeside Park boathouse improvements project special inspections be hereby awarded to Fairway Testing Co., Inc. 22 N. Liberty Dr., Stony Point, New York, 10980 in the unit price amount per the proposal.

MOTION: Supervisor Schmitt

SECOND: Councilwoman Pitt

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-097
Budget Amendments for Fiscal Year 2024

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

WHEREAS, normal course of business activity throughout 2024 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						
Supervisors Contractual	A.1220.4	7,000	2,000		9,000	Revised Budget
Contingency	A.1990.4	15,900		-2,000	13,900	
B&G Vehicle Gas & Maint	A.1620.424	12,000	6,000		18,000	Revised Budget
Parks. Equipment	A.7110.2	16,400	2,000		18,400	Revised Budget
Parks.Permits	A.7110.450	16,000	5,000		21,000	Use of FEMA Funds
Transfers to Capital Projects	A.9950.9	0	182,700		182,700	ARPA Funds Transfer
		60,300	195,700	-2,000	254,000	

A Fund

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Revenues						
Federal Aid ARPA	A.4089	0	182,700		182,700	ARPA Revenue
FEMA Revenue	A.4960	0	13,000		13,000	
		0	195,700	0	195,700	

B Fund

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditures						
Unemployment Insurance	B.9050.8	3,000	4,400		7,400	Revised Budget
		3,000	4,400	0	7,400	

B Fund

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Revenues						
Interest	B.2401	15,000	4,400		19,400	Revised Budget
		15,000	4,400	0	19,400	

DA Fund

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditures						
Bond Anticipation Notes	DA.9730.6	9,675	155,000		164,675	Paid off West Main St.

9,675 155,000 0 164,675 Culver Bond

DA Fund						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Revenues						
Interfund Transfers	DA.5031	0	155,000		155,000	Transfer to pay off West Main St. Bond
		<u>0</u>	<u>155,000</u>		<u>0 155,000</u>	

DB Fund						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditures						
Workers Compensation	DB.9040.8	38,200	325		38,525	Revised Budget
NYSLRS	DB.9010	74,320		-325	73,995	Revised Budget
		<u>112,520</u>	<u>325</u>	<u>-325</u>	<u>112,520</u>	

MOTION: Supervisor Schmitt
SECOND: Councilwoman Snow

ROLL CALL VOTE:

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “ABSENT”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

RESOLUTION 2024-098
Setting Public Hearing for Alternate Member of the Planning and Zoning Board

TOWN OF PAWLING
 NOTICE OF HEARING
 AMENDMENT TO THE PAWLING TOWN CODE
 TO ADD ALTERNATE MEMBERS TO
 THE PLANNING BOARD AND ZONING BOARD OF APPEALS

PUBLIC NOTICE is hereby given that there has been introduced before the Town Board of the Town of Pawling, New York, on June 12, 2024 an amendment to Pawling Town to add a Chapter to the Town Code entitled “Alternate Board Members” which will authorize the appointment of alternate members to the Planning Board and to the Zoning Board of Appeals.

NOW THEREFORE, pursuant to Section 20 of the Municipal Home Rule Law, the Town Board of the Town of Pawling, New York will hold a public hearing on the aforesaid Amendment at the Town Offices, 160 Charles Colman Boulevard, Pawling, New York, on July 10, 2024, at 6:00 p.m. in the evening of that day at which time all persons interested therein shall be heard. The Town Board will make every effort to assure that the hearing is accessible to persons

with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

Dated: June ____, 2024

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF PAWLING
CATHERINE GIORDANO, TOWN CLERK TOWN OF PAWLING
County of Dutchess, State of New York

RESOLUTION _____
RESOLUTION INTRODUCING
LOCAL LAW __-2024 AND PROVIDING FOR PUBLIC
NOTICE AND HEARING

INTRODUCED BY: _____

SECONDED BY: _____

DATE OF CONSIDERATION/ADOPTION: June 12, 2024

BE IT RESOLVED that an amendment to Pawling Town Code to authorize the appointment of alternate members to the Planning Board and the Zoning Board of Appeals is hereby introduced by _____, as Introductory Local Law #____ of the year 2024 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 o'clock P.M. on July 10, 2024, 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: Councilman Mygan

ROLL CALL VOTE:

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

TOWN BOARD DISCUSSION

FINANCIAL DISCLOSURE

Councilman Mygan explained that he has been looking into financial disclosure for town officials. He obtained a local law from Town of Fishkill, along with the financial disclosure form, and he has shared those with the board. This would be on file with the town clerk until an ethics board was in place. He would like to get things moving with this, and discuss further next month.

ETHICS COMMITTEE

Councilwoman Snow said there was discussion doing an ethics committee just with the Town of Pawling, and the IMA that Pawling had with the other town would be abolished. If so, there would need to be at least three members and she asked residents to send their letter of interest to Stephanie Giordano, legislative aide if they are interested. The board would need to pass a resolution opting out of the IMA, and it was suggested that be done at the next meeting.

WHALEY LAKE DAM SURVEY

Supervisor Schmitt said the survey was mailed out to all residents in the dam district. Responses have not come back as quickly as he had hoped, and he hoped that everyone would participate in the survey.

COMMUNITY GARDEN

Supervisor Schmitt said the town attorney is working on legal verbiage for this so it can be on the July meeting agenda.

PITT

Councilwoman Pitt said she was glad to see the resolution for alternate planning and zoning board members on the agenda. As for the Whaley Lake Dam survey, she has met with the Whaley Lake Dam committee and when she feels the need to meet with them again, she will, but not at this time. She heard back from NYS DOT regarding the speed limit study and they are working on that and the town should be getting a draft in a month or two and then they will meet with the town to discuss their findings.

MYGAN

Councilman Mygan said senator Pete Harckham is introducing legislation to protect the Great Swamp in Dutchess and Putnam counties, which will affect the Town of Pawling, and which would provide additional protection for the Great Swamp. Councilman Mygan said on May 22nd, Starkdale Park had a meeting with members of the planning board, the planning board secretary, town engineer and town attorney, so there is some motion on this project. Councilman Mygan said he has been meeting with vendors to stream the town board meetings by YouTube, because there have been problems with streaming it through Facebook. He would update the board when he has more information.

SNOW

Councilwoman Snow asked the board for their consideration advertising a part time clerk for the building department, which was requested by the building inspector.

Supervisor Schmitt said yes, the board needs to do that.

Councilwoman Snow asked if there would be representation from the town at the PJSC meeting tomorrow night, and if there had been any movement on adding an alternate to the PJSC.

Supervisor Schmitt said the town has given the PJSC a number of options, but there has not been agreement on the proposals. The makeup of the board is the issue holding this up. He said he was hoping there would be town representation at the meeting tomorrow night.

SCHMITT

Supervisor Schmitt said the golf course looks great and he thanked Ben, Doug and Shaun for upkeeping it. The golf course is doing great again this year.

PUBLIC COMMENT

Members of the public spoke regarding many topics, namely the Whaley Lake Dam and Dewey Lane Bridge. The board appreciated their comments.

EXECUTIVE SESSION

Supervisor Schmitt made a motion at 7:55 PM to enter 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 Snow, motion passed unanimously.

The Board returned from Executive Session at 7:55 PM and adjourned the meeting. No action was taken.

Town Clerk